

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Patent Application of: |) | Mail Stop Appeal Brief – Patents |
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| Craig NEVILL-MANNING |) | Group Art Unit: 2166 |
| |) | |
| Application No.: 10/608,270 |) | Examiner: J. Hwang |
| |) | |
| Filed: June 27, 2003 |) | |
| |) | |
| For: SYSTEM AND METHOD FOR |) | |
| PROVIDING DEFINITIONS |) | |

APPEAL BRIEF

U.S. Patent and Trademark Office
Customer Window, Mail Stop Appeal Brief - Patents
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

This Appeal Brief is submitted in response to the final Office Action, dated August 27, 2007, and in support of the Notice of Appeal, filed December 27, 2007. This Appeal Brief is also being submitted in response to the Notice of Panel Decision from Pre-Appeal Brief Review, dated February 22, 2008.

I. **REAL PARTY IN INTEREST**

The real party in interest in this appeal is Google Inc.

II. RELATED APPEALS, INTERFERENCES, AND JUDICIAL PROCEEDINGS

Appellant is unaware of any related appeals, interferences or judicial proceedings.

III. STATUS OF CLAIMS

Claims 1-4, 6-14, 17-26, 28-36, 39-44, 46-58, and 60 are pending in this application.

Claims 5, 15, 16, 27, 37, 38, 45, and 59 were cancelled without prejudice or disclaimer.

Claims 1-4, 6-14, 17-26, 28-36, 39-44, 46-58, and 60 were finally rejected in the final Office Action, dated August 27, 2007, and are the subject of the present appeal. These claims are reproduced in the Claim Appendix of this Appeal Brief.

IV. STATUS OF AMENDMENTS

Appellant filed a Request for Reconsideration on October 29, 2007 subsequent to the final Office Action, dated August 27, 2007. The Examiner sent an Advisory Action, dated November 16, 2007, indicating the Request for Reconsideration has been considered but allegedly did not place the application in condition for allowance.

A Notice of Appeal and a Pre-Appeal Brief Request for Review were filed on December 27, 2007. A subsequent Notice of Panel Decision from Pre-Appeal Brief Review, dated February 22, 2008, indicated that at least one issue for Appeal exists.

V. SUMMARY OF CLAIMED SUBJECT MATTER

In the paragraphs that follow, a concise explanation of the independent claims, each dependent claim argued separately, and the claims reciting means-plus-function or step-plus-function language that are involved in this Appeal will be provided by referring, in parenthesis, to examples of where support can be found in the specification and drawings.

Claim 1 is directed to a system for providing definitions (e.g., p. 3, lines 1-3; Fig. 1) that includes a server configured to receive a phrase to be processed (e.g., p. 3, lines 21-27; Fig. 1, item 20) and select a plurality of documents each containing at least one definition for the phrase (e.g., p. 6, line 6 and lines 14-16), and a user interface configured to present one or more of the definitions for the phrase in an order determined based on a ranking of the documents that contain the presented one or more definitions (e.g., p. 4, lines 7-9; p. 8, lines 9-12; Fig. 4).

Claim 4 recites that the selecting includes performing a search based on a search query that includes a predetermined term indicative of a presence of definitions (e.g., p. 6, lines 22-24).

Claim 6 recites that the predetermined term includes one of glossary, definition, or dictionary (e.g., p. 6, lines 22-24).

Claim 23 is directed to a method for providing definitions that includes receiving a phrase to be processed (e.g., p. 5, line 29 to p. 6, line 5; Fig. 3, item 41), selecting a plurality of documents each containing at least one definition for the phrase (e.g., p. 6, lines 14-21; Fig. 3, item 42), and presenting one or more of the definitions for the phrase in an order determined based on a ranking of the documents that contain the presented one or more definitions (e.g., p. 8, lines 9-12; Fig. 3, item 44).

Claim 26 recites that the selecting includes performing a search based on a search query that includes a predetermined term indicative of a presence of definitions (e.g., p. 6, lines 22-24).

Claim 28 recites that the predetermined term includes one of glossary, definition, or dictionary (e.g., p. 6, lines 22-24).

Claim 46 is directed to an apparatus for providing definitions that includes means for receiving a phrase to be processed (e.g., p. 3, lines 21-27; Fig. 1, item 11), means for determining a plurality of documents each containing at least one definition (e.g., p. 4, lines 14-18; Fig. 1, item 21), means for matching the phrase to at least one of the definitions (e.g., p. 4, line 27; Fig. 1, item 13), and means for presenting one or more of the definitions (e.g., p. 3, line 31 to p. 4, line 7; Fig. 1, item 21), determined based on a result of the means for matching for the phrase in an order determined based on a ranking of the documents that contain the presented one or more definitions (e.g., p. 8, lines 9-12; Fig. 4).

Claim 47 is directed to a system for determining definitions from distributed information stores (e.g., p. 3, lines 1-3; Fig. 1) that includes a search engine identifying a plurality of documents based on a search query including terms indicative of a presence of definitions (e.g., p. 6, line 6 and lines 14-16; p. 6, lines 22-24), and storing information regarding each identified document (e.g., p. 4, lines 9-10; Fig. 1, item 15), and a search front end matching a phrase for which a definition is sought against the stored information for each identified document (e.g., p. 7, lines 2-3; Fig. 3, item 43), returning one or more matching definitions based on the matching of the phrase (e.g., p. 4, lines 7-9; p. 8, lines 9-10; Fig. 4; Fig. 3, item 44), and presenting each matching definition in an order determined based on a ranking of the documents that contain the presented one or more definitions (e.g., p. 8, lines 9-12; Fig. 4).

Claim 49 recites that the search engine searches a structure of the plurality of documents for indications of a presence of a definition (e.g., p. 6, lines 22-24).

Claim 50 recites a parser parsing the identified documents to identify occurrences of the phrase for which a definition is sought (e.g., p. 6, lines 22-24).

Claim 53 is directed to a method for determining definitions from distributed information stores (e.g., p. 3, lines 1-3; Fig. 1) that includes identifying a plurality of documents based on a search query including terms indicative of a presence of definitions (e.g., p. 6, line 6 and lines 14-16; p. 6, lines 22-24), storing information regarding each identified document (e.g., p. 4, lines 9-10; Fig. 1, item 15), matching a phrase for which a definition is sought against the stored information for each identified document (e.g., p. 7, lines 2-3; Fig. 3, item 43), fetching each identified document from a distributed information store and returning one or more matching definitions (e.g., p. 6, lines 14-21), and presenting each matching definition in an order determined based on a ranking of the documents that contain the presented one or more definitions (e.g., p. 8, lines 9-12; Fig. 4).

Claim 55 recites searching the plurality of documents for one or more structures indicative of a presence of a definition (e.g., p. 6, lines 22-24).

Claim 56 recites parsing the identified documents to identify occurrences of the phrase for which a definition is sought (e.g., p. 6, lines 22-24).

Claim 60 is directed to an apparatus for determining definitions from distributed information stores (e.g., p. 3, lines 21-27; Fig. 1, item 11) that includes means for identifying a plurality of documents based on a search query including terms indicative of a presence of definitions (e.g., p. 4, lines 14-18; Fig. 1, item 21), means for storing information regarding each identified document (e.g., p. 4, lines 9-10; Fig. 1, item 15), means for matching a phrase for which a definition is sought against the stored information for each identified document (e.g., p. 4, line 27; Fig. 1, item 13), means for fetching each identified document from the distributed

information store (e.g., p. 3, line 31 to p. 4, line 13; Fig. 1, items 13 and 21) and means for returning one or more matching definitions (e.g., p. 3, line 31 to p. 4, line 7; Fig. 1, items 13 and 21), and means for presenting each matching definition in an order determined based on a ranking of the documents that contain the presented one or more definitions (e.g., p. 8, lines 9-12; Fig. 4).

VI. GROUND OF REJECTION TO BE REVIEWED ON APPEAL

A. Pending claims 1-4, 6, 8-9, 13-14, 17, 23-26, 28, 30-31, 35-36, 39, 46-49, 52-55, 58, and 60 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent Application Publication No. 2004/0249801 to Kapur et al. (hereinafter "KAPUR") in view of U.S. Patent Application Publication No. 2005/0234709 to Klavans et al. (hereinafter "KLAVANS").

B. Pending claims 7 and 29 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over KAPUR in view of KLAVANS and further in view of "How to get a site listed in Google Glossary?," by Maurer, internet citation, 1/30/2003 (hereinafter "MAURER").

C. Pending claims 10-12, 32-34, 50, and 56 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over KAPUR in view of KLAVANS and further in view of U.S. Patent Application Publication No. 2004/0073541 to Lindblad et al. (hereinafter "LINDBLAD").

D. Pending claims 18-19 and 40-41 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over KAPUR in view of KLAVANS and further in view of U.S. Patent No. 6,922,809 to Coden et al. (hereinafter "CODEN").

E. Pending claims 20-22, 42-44, 51, and 57 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over KAPUR in view of KLAVANS and further in view of U.S. Patent No. 6,701,309 to Beeferman et al. (hereinafter "BEEFERMAN").

VII. ARGUMENTS

A. The rejection under 35 U.S.C. § 103(a) based on U.S. Patent Application Publication No. 2004/0249801 to Kapur et al. in view of U.S. Patent Application Publication No. 2005/0234709 to Klavans et al. should be reversed.

The initial burden of establishing a prima facie basis to deny patentability to a claimed invention always rests upon the Examiner. In *re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992).

In rejecting a claim under 35 U.S.C. § 103, the Examiner must provide a factual basis to support the conclusion of obviousness. In *re Warner*, 379 F.2d 1011, 154 U.S.P.Q. 173 (CCPA 1967). Based upon the objective evidence of record, the Examiner is required to make the factual inquiries mandated by *Graham v. John Deere Co.*, 86 S.Ct. 684, 383 U.S. 1, 148 U.S.P.Q. 459 (1966). *KSR International Co. v. Teleflex Inc.*, 550 U.S. ____ (April 30, 2007). The Examiner is also required to explain how and why one having ordinary skill in the art would have been realistically motivated to modify an applied reference and/or combine applied references to arrive at the claimed invention. *Uniroyal, Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 5 U.S.P.Q.2d 1434 (Fed. Cir. 1988).

1. Claims 1-3, 8-9, 13-14, and 17.

Independent claim 1 is directed to a system for providing definitions, comprising:

a server configured to receive a phrase to be processed and select a plurality of documents each containing at least one definition for the phrase, and a user interface configured to present one or more of the definitions for the phrase in an order determined based on a ranking of the documents that contain the presented one or more definitions. KAPUR and KLAVANS, whether taken alone or in any reasonable combination, do not disclose or suggest this combination of features.

For example, KAPUR and KLAVANS do not disclose or suggest a user interface configured to present one or more definitions for a phrase in an order determined based on a ranking of documents that contain the presented one or more definitions. The Examiner relied on paragraph [0025], as well as paragraph [0176] and Fig. 8 of KAPUR for allegedly disclosing this feature (final Office Action, p. 4).

Paragraph [0025] of KAPUR discloses:

[0025] Referring to FIG. 2, according to one embodiment, server system 160 is configured to provide search result data and media content to client system 120, and server system 150 is configured to provide data and media content such as web pages to client system 120, for example, in response to links selected in search result pages provided by server system 160. As will be described in more detail below, server system 160 in one embodiment references various collection technologies for populating one or more indexes with, for example pages, links to pages, etc. Such collection technologies include automatic web crawlers, spiders, etc., as well as manual or semi-automatic classification algorithms and interfaces for classifying and ranking web pages within a hierarchical structure. In certain aspects, server 160 is also configured with search related algorithms for processing and ranking web pages, such as for example, the PageRank algorithm from Google. Server 160 is also preferably configured to record user query activity in the form of query log files.

This section of KAPUR discloses a server configured with search algorithms for classifying and ranking web pages. This section of KAPUR does not disclose documents containing definitions. This section of KAPUR also does not disclose a user interface. Therefore, this section of KAPUR cannot disclose or suggest a user interface configured to present one or more definitions for a phrase in an order determined based on ranking of documents that contain the presented one or more definitions, as recited in claim 1.

Paragraph [0176] and Fig. 8 of KAPUR do not find support in U.S. Provisional Application No. 60/460,222 (hereinafter "Provisional Application"), to which KAPUR claims priority. Appellant notes that the filing date of KAPUR is April 5, 2004, which is after Appellant's filing date of June 27, 2003. Thus, paragraph [0176] and Fig. 8 of KAPUR are not prior art with respect to the present application and cannot be relied on in a rejection of Appellant's claim 1.

Furthermore, none of the documents supplied by KAPUR as part of the Provisional Application disclose or suggest a user interface configured to present one or more definitions for a phrase in an order determined based on ranking of documents that contain the presented one or more definitions, as recited in claim 1. In fact, none of the documents of the Provisional Application disclose or suggest definitions of phrases.

In the Advisory Action dated November 16, 2007, the Examiner relies on p. 14, section 41; p. 15, section 42; p. 2, section 17; p. 17, section 46; p. 16, paragraph 6; p. 15, paragraph 6; p. 26, paragraph 4; and p. 19, paragraphs 7-10 of the Provisional Application for allegedly providing support for the subject matter of Fig. 8 and paragraph [0176] of KAPUR. At the outset, Appellant submits that the subject matter of Fig. 8, and of paragraph [0176] (which describes Fig. 8) of KAPUR is not present in the Provisional Application.

P. 14, section 41 and p. 15, section 42 of the Provisional Application disclose a universal dialog box. P. 15, section 42; p. 2, section 7; p. 17, section 46; p. 15, paragraph 6; and p. 26, paragraph 4 of the Provisional Application disclose examples of using the universal dialog box. None of these sections of the Provisional Application even mentions definitions.

P. 26, paragraph 4 of the Provisional Application discloses that "postal rates, zip codes, thesaurus, dictionary, encyclopedia, spell-checking, yellow pages, white pages, reverse phone

number lookup, tv show schedules, movie schedules, etc. will also be available through the universal dialog box.” This section of the Provisional Application does not disclose or suggest any ranking of documents that contain definitions. Therefore, this section of the Provisional Application cannot disclose or suggest a user interface configured to present one or more definitions for a phrase in an order determined based on ranking of documents that contain the presented one or more definitions, as recited in claim 1.

KLAVANS does not overcome the deficiencies of KAPUR with respect to the above feature of claim 1.

For at least the foregoing reasons, Appellant submits that claim 1 is patentable over KAPUR and KLAVANS, whether taken alone or in any reasonable combination.

In addition, neither KAPUR nor KLAVANS disclose or suggest a server configured to receive a phrase to be processed and select a plurality of documents each containing at least one definition for the phrase, as also recited in claim 1.

The Examiner admits that KAPUR does not disclose or suggest this feature (final Office Action, p. 4). The Examiner relies on KLAVANS (abstract, paragraphs 3-10 and paragraphs 27-29) for allegedly disclosing this feature (final Office Action, p. 4). Appellant disagrees with the Examiner's interpretation of KLAVANS. KLAVANS does not disclose or suggest a server that is configured to receive a phrase to be processed and select a plurality of documents each containing at least one definition of a phrase, as recited in claim 1.

The abstract of KLAVANS discloses:

A system for automatically generating a dictionary from full text articles extracts <term, definition> pairs from full text articles and stores the <term, definition> pairs as dictionary entries. The system includes a computer readable corpus having a plurality of documents therein. A pattern processing module (120) and a grammar processing module (125) are provided for extracting <term, definition> pairs from the corpus and storing the <term, definition> pairs in a dictionary database (145). A routing processing module selectively routes sentences in the corpus to at least one of the pattern processing module or grammar processing

module. In one embodiment, the routing module is incorporated into the pattern processing module which then selectively routes a portion of the sentences to the grammar processing module. A bootstrapping processing module (150) can be used to apply <term, definition> entries against the corpus to identify and extract additional <terms, definition> entries.

KLAVANS discloses a method of converting a source of full text articles into a dictionary database. KLAVANS does not disclose or suggest how to select text articles for a particular term. Rather, KLAVANS discloses generating a database of all possible <term, definition> pairs from a source of full text articles. KLAVANS does not disclose or suggest a server that is configured to receive a phrase to be processed and select a plurality of documents each containing at least one definition of a phrase, as recited in claim 1.

Paragraphs [0003-0010] of KLAVANS form the summary of invention of the method disclosed by KLAVANS, said method being described above with reference to the abstract. This section of KLAVANS does not disclose or suggest a method of selecting documents. Therefore, this section of KLAVANS does not disclose or suggest a server that is configured to receive a phrase to be processed and select a plurality of documents each containing at least one definition of a phrase, as recited in claim 1.

Paragraphs [0027-0029] of KLAVANS disclose the first steps of the method of generating the entries for a dictionary from full text articles. KLAVANS discloses that the articles are input into the system. This section of KLAVANS does not disclose or suggest how to select the articles. Therefore, this section of KLAVANS does not disclose or suggest a server that is configured to receive a phrase to be processed and select a plurality of documents each containing at least one definition of a phrase, as recited in claim 1.

Furthermore, the Examiner alleges (final Office Action, p. 4):

However, Klavans teaches extracting at least one of the definitions from a plurality of documents (i.e., definitions from articles on the Internet, abstract, sections 3-10 on page 1, and sections 27-29 on page 2) in order to provide a more comprehensive and complete on-line dictionary. Therefore, based on Kapur in

view of Klavans, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teaching of Klavans to the system of Kapur in order to provide a more comprehensive and complete on-line dictionary.

Appellant submits that the Examiner's allegation is merely a conclusory statement about an alleged benefit of the combination. Such conclusory statements have been repeatedly held to be insufficient for establishing a *prima facie* case of obviousness. In this respect, Appellant relies upon KSR International Co. v. Teleflex Inc., 550 U.S. ____ (April 30, 2007) (citing In re Kahn, 441 F.3d 977, 988 (Fed. Cir. 2006)), where it was held that rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.

Furthermore, KLAVANS does not teach extracting at least one of the definitions from a plurality of documents, as the Examiner alleges. As stated above, KLAVANS teaches generating a dictionary database that has no relation to a particular definition. Furthermore, if the method of KLAVANS alone provides a more comprehensive and complete on-line dictionary, as the Examiner alleges above, it is unclear as to why one of ordinary skill in the art would seek to combine it with the system of KAPUR for that very purpose.

The Examiner alleges in response to Appellant's previously submitted arguments (final Office Action, p. 2):

In response to Applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references.

If, for the sake of argument, the system of KAPUR was somehow combined with the method of KLAVANS, such a combination would not result in the features of claim 1. Rather, if the search results of a "define(argument)" query based on the system of KAPUR as described in paragraph [0176] (assuming for the sake of argument that this section of KAPUR is prior art), were

provided as the input (the full text articles) to the method of KLAVANS, the method of KLAVANS would seem to generate a dictionary database of <term, definition> entries. The hypothetical combination system of KAPUR and KLAVANS would not select a plurality of documents each containing at least one definition of "argument", as would be required by claim 1 based on the Examiner's interpretation of KAPUR and KLAVANS. In fact, there is no guarantee that any of the entries of the resulting <term, definition> dictionary database would contain a definition of "argument". This is because KAPUR does not disclose or suggest that any of the documents returned by the search query contain definitions.

The Examiner further alleges (final Office Action, p. 2):

Kapur discloses ranking of web pages (documents) that are search results of a query (section 25), wherein the query can be "define(quantity)" meaning that a user is seeking a definition of "quantity" (section 176). As a result, Kapur shows in Fig. 8 a dictionary web page containing a definition and web pages, followed by the dictionary web page, that are search results of the query, "define(quantity)".

Claim 1 recites a user interface configured to present one or more definitions for the phrase in an order determined based on ranking of the documents that contain the presented one or more definitions. The Examiner relies above on Fig. 8 of KAPUR for allegedly disclosing this feature (see also final Office Action, p. 4). As set forth above, Fig. 8 of KAPUR is not prior art and cannot be used in a rejection of Appellant's claim 1.

Even if it is assumed, for the sake of argument, that Fig. 8 can be relied upon on a rejection of Appellant's claim 1, in the system of KAPUR, as illustrated in Fig. 8, the dictionary definition will always be ranked first. This is in direct contrast to the above feature of claim 1, which recites that the user interface is configured to present one or more definitions for the phrase in an order determined based on ranking of the documents that contain the presented one or more definitions.

Furthermore, the Examiner has not explained how Fig. 8 of KAPUR might be combined with the dictionary database of <term, definition> entries of KLAVANS to allegedly provide a user interface configured to present one or more definitions for the phrase in an order determined based on ranking of the documents that contain the presented one or more definitions.

KLAVANS does not disclose or suggest any user interface for presenting the dictionary entries.

For at least these additional reasons, Appellant submits that claim 1 is patentable over KAPUR and KLAVANS, whether taken alone or in any reasonable combination. Accordingly, Appellant respectfully requests that the rejection of claim 1 under 35 U.S.C. § 103(a) based on KAPUR and KLAVANS be reversed.

Claims 2-3, 8-9, 13-14, and 17 depend from claim 1. Therefore, these claims are patentable over KAPUR and KLAVANS, whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 1. Accordingly, Appellant respectfully requests that the rejection of claims 2-3, 8-9, 13-14, and 17 under 35 U.S.C. § 103(a) based on KAPUR and KLAVANS be reversed.

2. Claim 4.

Claim 4 depends from claim 1. Therefore, claim 4 is patentable over KAPUR and KLAVANS for at least the reasons set forth above with respect to claim 1. Accordingly, Appellant respectfully requests that the rejection of claim 4 under 35 U.S.C. § 103(a) based on KAPUR and KLAVANS be reversed. Moreover, this claim is patentable over KAPUR and KLAVANS for reasons of its own.

Claim 4 recites that selecting documents each containing at least one definition includes performing a search based on a search query that includes a predetermined term indicative of a

presence of definitions. KAPUR and KLAVANS, whether taken alone or in any reasonable combination, do not disclose or suggest this feature.

The Examiner relied on paragraph [0176] of KAPUR and on Fig. 8 of KAPUR for allegedly disclosing this feature (final Office Action, p. 5). Paragraph [0176] and Fig. 8 of KAPUR do not find support in U.S. Provisional Application No. 60/460,222 (hereinafter "Provisional Application"), to which KAPUR claims priority. Appellant notes that the filing date of KAPUR is April 5, 2004, which is after Appellant's filing date of June 27, 2003. Thus, paragraph [0176] and Fig. 8 of KAPUR are not prior art with respect to the present application and cannot be relied on in a rejection of Appellant's claim 4.

Furthermore, even if it assumed, for the sake of argument, that paragraph [0176] and Fig. 8 of KAPUR can be used in a rejection of Appellant's claim 4, Appellant submits that this section of KAPUR, or any other section of KAPUR, does not disclose or suggest the above feature of claim 4.

Paragraph [0176] of KAPUR, which describes Fig. 8 of KAPUR, discloses:

FIGS. 7 and 8 illustrate examples of functionality provided by the UDB interface system and methodologies of the present invention as described herein. In particular, FIG. 7 illustrates a web page provided to a user system in response to the user entering a predefined code or label in the UDB 500. For example, with reference to FIG. 6, when a user enters the code "travel!", the system accesses the mapping stored in the system, e.g., at server 160 or other server system(s), or within the client system, and determines that the entered code maps to a "travel" page provided by Yahoo! A network request, e.g., HTTP request, is then sent to Yahoo! to access the travel site (either from the client system or a server that accessed a mapping table), and responsive thereto the travel page shown in FIG. 7 is sent to the user (e.g., using HTML). The page provided also includes a UDB 500 prominently displayed thereon. FIG. 8 illustrates a web page provided to a user system in response to the user entering another predefined code or label in the UDB 500. In this case, with reference to FIG. 7, the user has entered "define (argument)", where argument is a text term for which a definition is sought. Here, the text argument is "quantity". The system accesses the mapping stored in the system, e.g., at server 160 or other server system(s), or within the client system, and determines that the entered code identifies that a dictionary definition for the argument should be provided. The system locates the dictionary definition and provides it to the user as a separate web page. In this example, the system also performs a search for the argument and provides the results below the definition as shown.

This section of KAPUR discloses that in response to a “define(argument)” query, the system locates a dictionary definition and also performs a search for “argument.” This section of KAPUR does not disclose or suggest performing a search using a predetermined term indicative of the presence of definitions. Instead, the system of KAPUR only searches for “argument.” This section of KAPUR does not disclose or suggest that selecting documents each containing at least one definition includes performing a search based on a search query that includes a predetermined term indicative of a presence of definitions, as recited in claim 4.

For at least the foregoing reasons, Appellant submits that claim 4 is patentable over KAPUR and KLAVANS, whether taken alone or in any reasonable combination. Accordingly, Appellant respectfully requests that the rejection of claim 4 under 35 U.S.C. § 103(a) based on KAPUR and KLAVANS be reversed.

3. Claim 6.

Claim 6 depends from claim 1. Therefore, claim 6 is patentable over KAPUR and KLAVANS for at least the reasons set forth above with respect to claim 1. Accordingly, Appellant respectfully requests that the rejection of claim 6 under 35 U.S.C. § 103(a) based on KAPUR and KLAVANS be reversed. Moreover, this claim is patentable over KAPUR and KLAVANS for reasons of its own.

Claim 6 recites selecting documents each containing at least one definition includes performing a search based on a search query that includes a predetermined term that includes one of glossary, definition, or dictionary. KAPUR and KLAVANS, whether taken alone or in any reasonable combination, do not disclose or suggest this feature.

The Examiner relied on paragraph [0176] of KAPUR and on Fig. 8 of KAPUR for allegedly disclosing this feature (final Office Action, p. 5). Paragraph [0176] and Fig. 8 of

KAPUR do not find support in U.S. Provisional Application No. 60/460,222 (hereinafter “Provisional Application”), to which KAPUR claims priority. Appellant notes that the filing date of KAPUR is April 5, 2004, which is after Appellant’s filing date of June 27, 2003. Thus, paragraph [0176] and Fig. 8 of KAPUR are not prior art with respect to the present application and cannot be relied on in a rejection of Appellant’s claim 6.

Furthermore, even if it assumed, for the sake of argument, that paragraph [0176] and Fig. 8 of KAPUR can be used in a rejection of Appellant’s claim 6, Appellant submits that this section of KAPUR, or any other section of KAPUR, does not disclose or suggest the above feature of claim 6.

Paragraph [0176] of KAPUR, which describes Fig. 8 of KAPUR, was reproduced above. This section of KAPUR discloses that in response to a “define(argument)” query, the system locates a dictionary definition and also performs a search for “argument.” This section of KAPUR does not disclose or suggest performing a search including one of glossary, definition, or dictionary. Instead, the system of KAPUR only searches for “argument.” This section of KAPUR does not disclose or suggest selecting documents each containing at least one definition includes performing a search based on a search query that includes a predetermined term that includes one of glossary, definition, or dictionary, as recited in claim 6.

For at least the foregoing reasons, Appellant submits that claim 6 is patentable over KAPUR and KLAVANS, whether taken alone or in any reasonable combination. Accordingly, Appellant respectfully requests that the rejection of claim 6 under 35 U.S.C. § 103(a) based on KAPUR and KLAVANS be reversed.

4. Claim 23-25, 30-31, 35-36, and 39.

Independent claim 23 is directed to a method for providing definitions that includes receiving a phrase to be processed, selecting a plurality of documents each containing at least one definition for the phrase, and presenting one or more of the definitions for the phrase in an order determined based on a ranking of the documents that contain the presented one or more definitions. KAPUR and KLAVANS, whether taken alone or in any reasonable combination, do not disclose or suggest this combination of features.

For example, KAPUR and KLAVANS do not disclose or suggest presenting one or more definitions for a phrase in an order determined based on a ranking of documents that contain the presented one or more definitions, as recited in claim 23. The Examiner did not specifically address claim 23. Instead, the Examiner relied on the rejection of claim 1 (final Office Action, p. 6). In rejecting the feature of claim 1 that recites “a user interface configured to present one or more definitions for a phrase in an order determined based on ranking of documents that contain the presented one or more definitions”, the Examiner relied on paragraph [0025], as well as paragraph [0176] and Fig. 8 of KAPUR for allegedly disclosing this feature (final Office Action, p. 4).

Paragraph [0025] of KAPUR was reproduced above. This section of KAPUR discloses a server configured with search algorithms for classifying and ranking web pages. This section of KAPUR does not disclose documents containing definitions. Therefore, this section of KAPUR cannot disclose or suggest presenting one or more definitions for a phrase in an order determined based on a ranking of documents that contain the presented one or more definitions, as recited in claim 23.

Paragraph [0176] and Fig. 8 of KAPUR do not find support in U.S. Provisional Application No. 60/460,222 (hereinafter "Provisional Application"), to which KAPUR claims priority. Appellant notes that the filing date of KAPUR is April 5, 2004, which is after Appellant's filing date of June 27, 2003. Thus, paragraph [0176] and Fig. 8 of KAPUR are not prior art with respect to the present application and cannot be relied on in a rejection of Appellant's claim 23.

Furthermore, none of the documents supplied by KAPUR as part of the Provisional Application disclose or suggest presenting one or more definitions for a phrase in an order determined based on a ranking of documents that contain the presented one or more definitions, as recited in claim 23. In fact, none of the documents of the Provisional Application disclose or suggest definitions of phrases.

In the Advisory Action dated November 16, 2007, the Examiner relies on p. 14, section 41; p. 15, section 42; p. 2, section 17; p. 17, section 46; p. 16, paragraph 6; p. 15, paragraph 6; p. 26, paragraph 4; and p. 19, paragraphs 7-10 of the Provisional Application for allegedly providing support for the subject matter of Fig. 8 and paragraph [0176] of KAPUR. At the outset, Appellant submits that the subject matter of Fig. 8, and of paragraph [0176] (which describes Fig. 8) of KAPUR is not present in the Provisional Application.

P. 14, section 41 and p. 15, section 42 of the Provisional Application disclose a universal dialog box. P. 15, section 42; p. 2, section 7; p. 17, section 46; p. 15, paragraph 6; and p. 26, paragraph 4 of the Provisional Application disclose examples of using the universal dialog box. None of these sections of the Provisional Application even mentions definitions.

P. 26, paragraph 4 of the Provisional Application discloses that "postal rates, zip codes, thesaurus, dictionary, encyclopedia, spell-checking, yellow pages, white pages, reverse phone

number lookup, tv show schedules, movie schedules, etc. will also be available through the universal dialog box.” This section of the Provisional Application does not disclose or suggest any ranking of documents that contain definitions. Therefore, this section of the Provisional Application cannot disclose or suggest presenting one or more definitions for a phrase in an order determined based on a ranking of documents that contain the presented one or more definitions, as recited in claim 23.

KLAVANS does not overcome the deficiencies of KAPUR with respect to the above feature of claim 23.

For at least the foregoing reasons, Appellant submits that claim 23 is patentable over KAPUR and KLAVANS, whether taken alone or in any reasonable combination.

In addition, neither KAPUR nor KLAVANS disclose or suggest selecting a plurality of documents each containing at least one definition for a phrase, as also recited in claim 23.

The Examiner admits that KAPUR does not disclose or suggest this feature (final Office Action, p. 4). The Examiner relies on KLAVANS (abstract, paragraphs 3-10 and paragraphs 27-29) for allegedly disclosing this feature (final Office Action, p. 4). Appellant disagrees with the Examiner's interpretation of KLAVANS. KLAVANS does not disclose or suggest selecting a plurality of documents each containing at least one definition for a phrase, as recited in claim 23.

The abstract of KLAVANS was reproduced above. KLAVANS discloses a method of converting a source of full text articles into a dictionary database. KLAVANS does not disclose or suggest how to select text articles for a particular term. Rather, KLAVANS discloses generating a database of all possible <term, definition> pairs from a source of full text articles. Therefore, KLAVANS does not disclose or suggest selecting a plurality of documents each containing at least one definition for a phrase, as recited in claim 23.

Paragraphs [0003-0010] of KLAVANS form the summary of invention of the method disclosed by KLAVANS, said method being described above with reference to the abstract. This section of KLAVANS does not disclose or suggest a method of selecting documents. Therefore, this section of KLAVANS does not disclose or suggest selecting a plurality of documents each containing at least one definition for a phrase, as recited in claim 23.

Paragraphs [0027-0029] of KLAVANS disclose the first steps of the method of generating the entries for a dictionary from full text articles. KLAVANS discloses that the articles are input into the system. This section of KLAVANS does not disclose or suggest how to select the articles. Therefore, this section of KLAVANS does not disclose or suggest selecting a plurality of documents each containing at least one definition for a phrase, as recited in claim 23.

Furthermore, the Examiner alleges (final Office Action, p. 4):

However, Klavans teaches extracting at least one of the definitions from a plurality of documents (i.e., definitions from articles on the Internet, abstract, sections 3-10 on page 1, and sections 27-29 on page 2) in order to provide a more comprehensive and complete on-line dictionary. Therefore, based on Kapur in view of Klavans, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teaching of Klavans to the system of Kapur in order to provide a more comprehensive and complete on-line dictionary.

Appellant submits that the Examiner's allegation is merely a conclusory statement about an alleged benefit of the combination. Such conclusory statements have been repeatedly held to be insufficient for establishing a *prima facie* case of obviousness. In this respect, Appellant relies upon KSR International Co. v. Teleflex Inc., 550 U.S. ____ (April 30, 2007) (citing In re Kahn, 441 F.3d 977, 988 (Fed. Cir. 2006)), where it was held that rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.

Furthermore, KLAVANS does not teach extracting at least one of the definitions from a plurality of documents, as the Examiner alleges. As stated above, KLAVANS teaches generating a dictionary database that has no relation to a particular definition. Furthermore, if the method of KLAVANS alone provides a more comprehensive and complete on-line dictionary, as the Examiner alleges above, it is unclear as to why one of ordinary skill in the art would seek to combine it with the system of KAPUR for that very purpose.

The Examiner alleges in response to Appellant's previously submitted arguments (final Office Action, p. 2):

In response to Applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references.

If, for the sake of argument, the system of KAPUR was somehow combined with the method of KLAVANS, such a combination would not result in the features of claim 23. Rather, if the search results of a "define(argument)" query based on the system of KAPUR as described in paragraph [0176] (assuming for the sake of argument that this section of KAPUR is prior art), were provided as the input (the full text articles) to the method of KLAVANS, the method of KLAVANS would seem to generate a dictionary database of <term, definition> entries. The hypothetical combination system of KAPUR and KLAVANS would not select a plurality of documents each containing at least one definition of "argument", as would be required by claim 23 based on the Examiner's interpretation of KAPUR and KLAVANS. In fact, there is no guarantee that any of the entries of the resulting <term, definition> dictionary database would contain a definition of "argument". This is because KAPUR does not disclose or suggest that any of the documents returned by the search query contain definitions.

The Examiner further alleges (final Office Action, p. 2):

Kapur discloses ranking of web pages (documents) that are search results of a query (section 25), wherein the query can be "define(quantity)" meaning that a user is seeking a definition of "quantity" (section 176). As a result, Kapur shows in Fig. 8 a dictionary web page containing a definition and web pages, followed by the dictionary web page, that are search results of the query, "define(quantity)".

Claim 23 recites selecting a plurality of documents each containing at least one definition for a phrase. The Examiner relies above on Fig. 8 of KAPUR for allegedly disclosing this feature (see also final Office Action, p. 4). As set forth above, Fig. 8 of KAPUR is not prior art and cannot be used in a rejection of Appellant's claim 23.

Even if it is assumed, for the sake of argument, that Fig. 8 can be relied upon on a rejection of Appellant's claim 23, in the system of KAPUR, as illustrated in Fig. 8, the dictionary definition will always be ranked first. This is in direct contrast to the above feature of claim 23, which recites presenting one or more definitions for a phrase in an order determined based on a ranking of documents that contain the presented one or more definitions.

Furthermore, the Examiner has not explained how Fig. 8 of KAPUR might be combined with the dictionary database of <term, definition> entries of KLAVANS to allegedly present one or more definitions for a phrase in an order determined based on a ranking of documents that contain the presented one or more definitions, as recited in claim 23. KLAVANS does not disclose or suggest presenting definitions.

For at least these additional reasons, Appellant submits that claim 23 is patentable over KAPUR and KLAVANS, whether taken alone or in any reasonable combination. Accordingly, Appellant respectfully requests that the rejection of claim 23 under 35 U.S.C. § 103(a) based on KAPUR and KLAVANS be reversed.

Claims 24-25, 30-31, 35-36, and 39 depend from claim 23. Therefore, these claims are patentable over KAPUR and KLAVANS, whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 23. Accordingly, Appellant

respectfully requests that the rejection of claims 24-25, 30-31, 35-36, and 39 under 35 U.S.C. § 103(a) based on KAPUR and KLAVANS be reversed.

5. Claim 26.

Claim 26 depends from claim 23. Therefore, claim 26 is patentable over KAPUR and KLAVANS for at least the reasons set forth above with respect to claim 23. Accordingly, Appellant respectfully requests that the rejection of claim 26 under 35 U.S.C. § 103(a) based on KAPUR and KLAVANS be reversed. Moreover, this claim is patentable over KAPUR and KLAVANS for reasons of its own.

Claim 26 recites that selecting documents each containing at least one definition includes performing a search based on a search query that includes a predetermined term indicative of a presence of definitions. KAPUR and KLAVANS, whether taken alone or in any reasonable combination, do not disclose or suggest this feature.

The Examiner relied on paragraph [0176] of KAPUR and on Fig. 8 of KAPUR for allegedly disclosing this feature (final Office Action, p. 5). Paragraph [0176] and Fig. 8 of KAPUR do not find support in U.S. Provisional Application No. 60/460,222 (hereinafter "Provisional Application"), to which KAPUR claims priority. Appellant notes that the filing date of KAPUR is April 5, 2004, which is after Appellant's filing date of June 27, 2003. Thus, paragraph [0176] and Fig. 8 of KAPUR are not prior art with respect to the present application and cannot be relied on in a rejection of Appellant's claim 26.

Furthermore, even if it assumed, for the sake of argument, that paragraph [0176] and Fig. 8 of KAPUR can be used in a rejection of Appellant's claim 26, Appellant submits that this section of KAPUR, or any other section of KAPUR, does not disclose or suggest the above feature of claim 26.

Paragraph [0176] of KAPUR, which describes Fig. 8 of KAPUR, was reproduced above. This section of KAPUR discloses that in response to a “define(argument)” query, the system locates a dictionary definition and also performs a search for “argument.” This section of KAPUR does not disclose or suggest performing a search using a predetermined term indicative of the presence of definitions. Instead, the system of KAPUR only searches for “argument.” Therefore, this section of KAPUR cannot disclose or suggest that selecting documents each containing at least one definition includes performing a search based on a search query that includes a predetermined term indicative of a presence of definitions, as recited in claim 26.

For at least the foregoing reasons, Appellant submits that claim 26 is patentable over KAPUR and KLAVANS, whether taken alone or in any reasonable combination. Accordingly, Appellant respectfully requests that the rejection of claim 26 under 35 U.S.C. § 103(a) based on KAPUR and KLAVANS be reversed.

6. Claim 28.

Claim 28 depends from claim 23. Therefore, claim 28 is patentable over KAPUR and KLAVANS for at least the reasons set forth above with respect to claim 23. Accordingly, Appellant respectfully requests that the rejection of claim 28 under 35 U.S.C. § 103(a) based on KAPUR and KLAVANS be reversed. Moreover, this claim is patentable over KAPUR and KLAVANS for reasons of its own.

Claim 28 recites selecting documents each containing at least one definition includes performing a search based on a search query that includes a predetermined term that includes one of glossary, definition, or dictionary. KAPUR and KLAVANS, whether taken alone or in any reasonable combination, do not disclose or suggest this feature.

The Examiner relied on paragraph [0176] of KAPUR and on Fig. 8 of KAPUR for allegedly disclosing this feature (final Office Action, p. 5). Paragraph [0176] and Fig. 8 of KAPUR do not find support in U.S. Provisional Application No. 60/460,222 (hereinafter “Provisional Application”), to which KAPUR claims priority. Appellant notes that the filing date of KAPUR is April 5, 2004, which is after Appellant’s filing date of June 27, 2003. Thus, paragraph [0176] and Fig. 8 of KAPUR are not prior art with respect to the present application and cannot be relied on in a rejection of Appellant’s claim 28.

Furthermore, even if it assumed, for the sake of argument, that paragraph [0176] and Fig. 8 of KAPUR can be used in a rejection of Appellant’s claim 28, Appellant submits that this section of KAPUR, or any other section of KAPUR, does not disclose or suggest the above feature of claim 28.

Paragraph [0176] of KAPUR, which describes Fig. 8 of KAPUR, was reproduced above. This section of KAPUR discloses that in response to a “define(argument)” query, the system locates a dictionary definition and also performs a search for “argument.” This section of KAPUR does not disclose or suggest performing a search including one of glossary, definition, or dictionary. Instead, the system of KAPUR only searches for “argument.” Therefore, this section of KAPUR cannot disclose or suggest selecting documents each containing at least one definition includes performing a search based on a search query that includes a predetermined term that includes one of glossary, definition, or dictionary, as recited in claim 28.

For at least the foregoing reasons, Appellant submits that claim 28 is patentable over KAPUR and KLAVANS, whether taken alone or in any reasonable combination. Accordingly, Appellant respectfully requests that the rejection of claim 28 under 35 U.S.C. § 103(a) based on KAPUR and KLAVANS be reversed.

7. Claim 46.

Independent claim 46 is directed to an apparatus for providing definitions that includes means for receiving a phrase to be processed, means for determining a plurality of documents each containing at least one definition, means for matching the phrase to at least one of the definitions, and means for presenting one or more of the definitions, determined based on a result of the means for matching, for the phrase in an order determined based on a ranking of the documents that contain the presented one or more definitions. KAPUR and KLAVANS, whether taken alone or in any reasonable combination, do not disclose or suggest this combination of features.

For example, KAPUR and KLAVANS do not disclose or suggest means for presenting one or more definitions, determined based on a result of a means for matching, for a phrase in an order determined based on a ranking of documents that contain the presented one or more definitions, as recited in claim 46. The Examiner relied on paragraph [0025], as well as paragraph [0176] and Fig. 8 of KAPUR for allegedly disclosing this feature (final Office Action, p. 8).

Paragraph [0025] of KAPUR was reproduced above. This section of KAPUR discloses a server configured with search algorithms for classifying and ranking web pages. This section of KAPUR does not disclose documents containing definitions. Therefore, this section of KAPUR cannot disclose or suggest means for presenting one or more definitions, determined based on a result of a means for matching, for a phrase in an order determined based on a ranking of documents that contain the presented one or more definitions, as recited in claim 46.

Paragraph [0176] and Fig. 8 of KAPUR do not find support in U.S. Provisional Application No. 60/460,222 (hereinafter "Provisional Application"), to which KAPUR claims

priority. Appellant notes that the filing date of KAPUR is April 5, 2004, which is after Appellant's filing date of June 27, 2003. Thus, paragraph [0176] and Fig. 8 of KAPUR are not prior art with respect to the present application and cannot be relied on in a rejection of Appellant's claim 46.

Furthermore, none of the documents supplied by KAPUR as part of the Provisional Application disclose or suggest means for presenting one or more definitions, determined based on a result of a means for matching, for a phrase in an order determined based on a ranking of documents that contain the presented one or more definitions, as recited in claim 46. In fact, none of the documents of the Provisional Application disclose or suggest definitions of phrases.

In the Advisory Action dated November 16, 2007, the Examiner relies on p. 14, section 41; p. 15, section 42; p. 2, section 17; p. 17, section 46; p. 16, paragraph 6; p. 15, paragraph 6; p. 26, paragraph 4; and p. 19, paragraphs 7-10 of the Provisional Application for allegedly providing support for the subject matter of Fig. 8 and paragraph [0176] of KAPUR. At the outset, Appellant submits that the subject matter of Fig. 8, and of paragraph [0176] (which describes Fig. 8) of KAPUR is not present in the Provisional Application.

P. 14, section 41 and p. 15, section 42 of the Provisional Application disclose a universal dialog box. P. 15, section 42; p. 2, section 7; p. 17, section 46; p. 15, paragraph 6; and p. 26, paragraph 4 of the Provisional Application disclose examples of using the universal dialog box. None of these sections of the Provisional Application disclose or suggest definitions.

P. 26, paragraph 4 of the Provisional Application discloses that "postal rates, zip codes, thesaurus, dictionary, encyclopedia, spell-checking, yellow pages, white pages, reverse phone number lookup, tv show schedules, movie schedules, etc. will also be available through the universal dialog box." This section of the Provisional Application does not disclose or suggest

any ranking of documents that contain definitions. Therefore, this section of the Provisional Application cannot disclose or suggest means for presenting one or more definitions, determined based on a result of a means for matching, for a phrase in an order determined based on a ranking of documents that contain the presented one or more definitions, as recited in claim 46.

KLAVANS does not overcome the deficiencies of KAPUR with respect to the above feature of claim 46.

For at least the foregoing reasons, Appellant submits that claim 46 is patentable over KAPUR and KLAVANS, whether taken alone or in any reasonable combination.

In addition, neither KAPUR nor KLAVANS disclose or suggest means for determining a plurality of documents each containing at least one definition, as also recited in claim 46.

The Examiner admits that KAPUR does not disclose or suggest this feature (final Office Action, p. 8). The Examiner relies on KLAVANS (abstract, paragraphs 3-10 and paragraphs 27-29) for allegedly disclosing this feature (final Office Action, p. 8). Appellant disagrees with the Examiner's interpretation of KLAVANS. KLAVANS does not disclose or suggest means for determining a plurality of documents each containing at least one definition, as recited in claim 46.

The abstract of KLAVANS was reproduced above. KLAVANS discloses a method of converting a source of full text articles into a dictionary database. KLAVANS does not disclose or suggest how to determine text articles for a particular term. Rather, KLAVANS discloses generating a database of all possible <term, definition> pairs from a source of full text articles. Therefore, KLAVANS does not disclose or suggest means for determining a plurality of documents each containing at least one definition, as recited in claim 46.

Paragraphs [0003-0010] of KLAVANS form the summary of invention of the method disclosed by KLAVANS, said method being described above with reference to the abstract. This section of KLAVANS does not disclose or suggest a means for determining documents. Therefore, this section of KLAVANS does not disclose or suggest means for determining a plurality of documents each containing at least one definition, as recited in claim 46.

Paragraphs [0027-0029] of KLAVANS disclose the first steps of the method of generating the entries for a dictionary from full text articles. KLAVANS discloses that the articles are input into the system. This section of KLAVANS does not disclose or suggest how to determine the articles. Therefore, this section of KLAVANS does not disclose or suggest means for determining a plurality of documents each containing at least one definition, as recited in claim 46.

Furthermore, the Examiner alleges (final Office Action, p. 8):

However, Klavans teaches extracting at least one of the definitions from a plurality of documents (i.e., definitions from articles on the Internet, abstract, sections 3-10 on page 1, and sections 27-29 on page 2) in order to provide a more comprehensive and complete on-line dictionary. Therefore, based on Kapur in view of Klavans, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teaching of Klavans to the system of Kapur in order to provide a more comprehensive and complete on-line dictionary.

Appellant submits that the Examiner's allegation is merely a conclusory statement about an alleged benefit of the combination. Such conclusory statements have been repeatedly held to be insufficient for establishing a *prima facie* case of obviousness. In this respect, Appellant relies upon KSR International Co. v. Teleflex Inc., 550 U.S. ____ (April 30, 2007) (citing In re Kahn, 441 F.3d 977, 988 (Fed. Cir. 2006)), where it was held that rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.

Furthermore, KLAVANS does not teach extracting at least one of the definitions from a plurality of documents, as the Examiner alleges. As stated above, KLAVANS teaches generating a dictionary database that has no relation to a particular definition. Furthermore, if the method of KLAVANS alone provides a more comprehensive and complete on-line dictionary, as the Examiner alleges above, it is unclear as to why one of ordinary skill in the art would seek to combine it with the system of KAPUR for that very purpose.

The Examiner alleges in response to Appellant's previously submitted arguments (final Office Action, p. 2):

In response to Applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references.

If, for the sake of argument, the system of KAPUR was somehow combined with the method of KLAVANS, such a combination would not result in the features of claim 46. Rather, if the search results of a "define(argument)" query based on the system of KAPUR as described in paragraph [0176] (assuming, for the sake of argument, that this section of KAPUR is prior art), were provided as the input (the full text articles) to the method of KLAVANS, the method of KLAVANS would generate a dictionary database of <term, definition> entries. The hypothetical combination system of KAPUR and KLAVANS would not determine a plurality of documents each containing at least one definition of "argument", as would be required by claim 46 based on the Examiner's interpretation of KAPUR and KLAVANS. In fact, there is no guarantee that any of the entries of the resulting <term, definition> dictionary database would contain a definition of "argument". This is because KAPUR does not disclose or suggest that any of the documents returned by the search query contain definitions.

Even if it is assumed, for the sake of argument, that Fig. 8 can be relied upon on a rejection of Appellant's claim 46, in the system of KAPUR, as illustrated in Fig. 8, the dictionary

definition will always be ranked first. This is in direct contrast to the above feature of claim 46, which recites means for presenting one or more definitions, determined based on a result of a means for matching, for a phrase in an order determined based on a ranking of documents that contain the presented one or more definitions, as recited in claim 46.

Furthermore, the Examiner has not explained how Fig. 8 of KAPUR might be combined with the dictionary database of <term, definition> entries of KLAVANS to allegedly obtain means for presenting one or more definitions, determined based on a result of a means for matching, for a phrase in an order determined based on a ranking of documents that contain the presented one or more definitions, as recited in claim 46. KLAVANS does not disclose or suggest presenting definitions.

For at least these additional reasons, Appellant submits that claim 46 is patentable over KAPUR and KLAVANS, whether taken alone or in any reasonable combination. Accordingly, Appellant respectfully requests that the rejection of claim 46 under 35 U.S.C. § 103(a) based on KAPUR and KLAVANS be reversed.

8. Claims 47, 48, and 52.

Independent claim 47 is directed to a system for determining definitions from distributed information stores. The system includes a search engine identifying a plurality of documents based on a search query including terms indicative of a presence of definitions, and storing information regarding each identified document, and a search front end matching a phrase for which a definition is sought against the stored information for each identified document, returning one or more matching definitions based on the matching of the phrase, and presenting each matching definition in an order determined based on a ranking of the documents that

contain the presented one or more definitions. KAPUR and KLAVANS, whether taken alone or in any reasonable combination, do not disclose or suggest this combination of features.

For example, KAPUR and KLAVANS do not disclose or suggest a search front end matching a phrase for which a definition is sought against stored information for each identified document, returning one or more matching definitions based on the matching of the phrase, and presenting each matching definition in an order determined based on a ranking of documents that contain the presented one or more definitions, as recited in claim 47. The Examiner relied on item 160 in Fig. 2, paragraph [0025], as well as paragraph [0176] and Fig. 8 of KAPUR for allegedly disclosing this feature (final Office Action, p. 9).

Paragraph [0025] of KAPUR, which describes item 160 of Fig. 2 of KAPUR, was reproduced above. This section of KAPUR discloses a server configured with search algorithms for classifying and ranking web pages. This section of KAPUR does not disclose documents containing definitions. This section of KAPUR also does not disclose or suggest ranking definitions based on the ranking of documents containing definitions. Therefore, this section of KAPUR cannot disclose or suggest a search front end matching a phrase for which a definition is sought against stored information for each identified document, returning one or more matching definitions based on the matching of the phrase, and presenting each matching definition in an order determined based on a ranking of documents that contain the presented one or more definitions, as recited in claim 47.

Paragraph [0176] and Fig. 8 of KAPUR do not find support in U.S. Provisional Application No. 60/460,222 (hereinafter "Provisional Application"), to which KAPUR claims priority. Appellant notes that the filing date of KAPUR is April 5, 2004, which is after Appellant's filing date of June 27, 2003. Thus, paragraph [0176] and Fig. 8 of KAPUR are not

prior art with respect to the present application and cannot be relied on in a rejection of Appellant's claim 47.

Furthermore, none of the documents supplied by KAPUR as part of the Provisional Application disclose or suggest a search front end matching a phrase for which a definition is sought against stored information for each identified document, returning one or more matching definitions based on the matching of the phrase, and presenting each matching definition in an order determined based on a ranking of documents that contain the presented one or more definitions, as recited in claim 47. In fact, none of the documents of the Provisional Application even disclose or suggest presenting definitions that match a phrase in an order based on the ranking of documents that contain the definitions.

In the Advisory Action dated November 16, 2007, the Examiner relies on p. 14, section 41; p. 15, section 42; p. 2, section 17; p. 17, section 46; p. 16, paragraph 6; p. 15, paragraph 6; p. 26, paragraph 4; and p. 19, paragraphs 7-10 of the Provisional Application for allegedly providing support for the subject matter of Fig. 8 and paragraph [0176] of KAPUR. At the outset, Appellant submits that the subject matter of Fig. 8, and of paragraph [0176] (which describes Fig. 8) of KAPUR is not present in the Provisional Application.

P. 14, section 41 and p. 15, section 42 of the Provisional Application disclose a universal dialog box. P. 15, section 42; p. 2, section 7; p. 17, section 46; p. 15, paragraph 6; and p. 26, paragraph 4 of the Provisional Application disclose examples of using the universal dialog box. None of these sections of the Provisional Application even disclose or suggest definitions.

P. 26, paragraph 4 of the Provisional Application discloses that "postal rates, zip codes, thesaurus, dictionary, encyclopedia, spell-checking, yellow pages, white pages, reverse phone number lookup, tv show schedules, movie schedules, etc. will also be available through the

universal dialog box.” This section of the Provisional Application does not disclose or suggest any ranking of documents that contain definitions. Therefore, this section of the Provisional Application cannot disclose or suggest a search front end matching a phrase for which a definition is sought against stored information for each identified document, returning one or more matching definitions based on the matching of the phrase, and presenting each matching definition in an order determined based on a ranking of documents that contain the presented one or more definitions, as recited in claim 47.

KLAVANS does not overcome the deficiencies of KAPUR with respect to the above feature of claim 47.

For at least the foregoing reasons, Appellant submits that claim 47 is patentable over KAPUR and KLAVANS, whether taken alone or in any reasonable combination.

In addition, neither KAPUR nor KLAVANS disclose or suggest a search engine identifying a plurality of documents based on a search query including terms indicative of a presence of definitions, as also recited in claim 47.

The Examiner admits that KAPUR does not disclose or suggest this feature (final Office Action, p. 9). The Examiner relies on KLAVANS (abstract, paragraphs 3-10 and paragraphs 27-29) for allegedly disclosing this feature (final Office Action, p. 9). Appellant disagrees with the Examiner's interpretation of KLAVANS. KLAVANS does not disclose or suggest a search engine identifying a plurality of documents based on a search query including terms indicative of a presence of definitions, as recited in claim 47.

The abstract of KLAVANS was reproduced above. KLAVANS discloses a method of converting a source of full text articles into a dictionary database. KLAVANS does not disclose or suggest how to determine text articles for a particular term. Rather, KLAVANS discloses

generating a database of all possible <term, definition> pairs from a source of full text articles. Therefore, KLAVANS does not disclose or suggest a search engine identifying a plurality of documents based on a search query including terms indicative of a presence of definitions, as recited in claim 47.

Paragraphs [0003-0010] of KLAVANS form the summary of invention of the method disclosed by KLAVANS, said method being described above with reference to the abstract. This section of KLAVANS does not disclose or suggest identifying documents. Therefore, this section of KLAVANS does not disclose or suggest a search engine identifying a plurality of documents based on a search query including terms indicative of a presence of definitions, as recited in claim 47.

Paragraphs [0027-0029] of KLAVANS disclose the first steps of the method of generating the entries for a dictionary from full text articles. KLAVANS discloses that the articles are input into the system. This section of KLAVANS does not disclose or suggest identifying articles based on a search query. Therefore, this section of KLAVANS does not disclose or suggest a search engine identifying a plurality of documents based on a search query including terms indicative of a presence of definitions, as recited in claim 47.

Furthermore, the Examiner alleges (final Office Action, pp. 9-10):

However, Klavans teaches extracting at least one of the definitions from a plurality of documents (i.e., definitions from articles on the Internet, abstract, sections 3-10 on page 1, and sections 27-29 on page 2) in order to provide a more comprehensive and complete on-line dictionary. Therefore, based on Kapur in view of Klavans, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teaching of Klavans to the system of Kapur in order to provide a more comprehensive and complete on-line dictionary.

Appellant submits that the Examiner's allegation is merely a conclusory statement about an alleged benefit of the combination. Such conclusory statements have been repeatedly held to be insufficient for establishing a *prima facie* case of obviousness. In this respect, Appellant

relies upon KSR International Co. v. Teleflex Inc., 550 U.S. ____ (April 30, 2007) (citing In re Kahn, 441 F.3d 977, 988 (Fed. Cir. 2006)), where it was held that rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.

Furthermore, KLAVANS does not teach extracting at least one of the definitions from a plurality of documents, as the Examiner alleges. As stated above, KLAVANS teaches generating a dictionary database that has no relation to a particular definition. Furthermore, if the method of KLAVANS alone provides a more comprehensive and complete on-line dictionary, as the Examiner alleges above, it is unclear as to why one of ordinary skill in the art would seek to combine it with the system of KAPUR for that very purpose.

The Examiner alleges in response to Appellant's previously submitted arguments (final Office Action, p. 2):

In response to Applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references.

If, for the sake of argument, the system of KAPUR was somehow combined with the method of KLAVANS, such a combination would not result in the features of claim 46. Rather, if the search results of a "define(argument)" query based on the system of KAPUR as described in paragraph [0176] (assuming, for the sake of argument, that this section of KAPUR is prior art), were provided as the input (the full text articles) to the method of KLAVANS, the method of KLAVANS would seem to generate a dictionary database of <term, definition> entries. The hypothetical combination system of KAPUR and KLAVANS would not identify a plurality of documents each containing at least one definition of "argument", as would be required by claim 47 based on the Examiner's interpretation of KAPUR and KLAVANS. In fact, there is no

guarantee that any of the entries of the resulting <term, definition> dictionary database would contain a definition of “argument”. This is because KAPUR does not disclose or suggest that any of the documents returned by the search query contain definitions.

Even if it is assumed, for the sake of argument, that Fig. 8 can be relied upon on a rejection of Appellant's claim 47, in the system of KAPUR, as illustrated in Fig. 8, the dictionary definition will always be ranked first. This is in direct contrast to the above feature of claim 47, which recites means for presenting one or more definitions, determined based on a result of a means for matching, for a phrase in an order determined based on a ranking of documents that contain the presented one or more definitions, as recited in claim 47.

Furthermore, the Examiner has not explained how Fig. 8 of KAPUR might be combined with the dictionary database of <term, definition> entries of KLAVANS to allegedly obtain a search front end matching a phrase for which a definition is sought against stored information for each identified document, returning one or more matching definitions based on the matching of the phrase, and presenting each matching definition in an order determined based on a ranking of documents that contain the presented one or more definitions, as recited in claim 47.

For at least these additional reasons, Appellant submits that claim 47 is patentable over KAPUR and KLAVANS, whether taken alone or in any reasonable combination. Accordingly, Appellant respectfully requests that the rejection of claim 47 under 35 U.S.C. § 103(a) based on KAPUR and KLAVANS be reversed.

Claims 48 and 52 depend from claim 47. Therefore, these claims are patentable over KAPUR and KLAVANS, whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 47. Accordingly, Appellant respectfully requests that

the rejection of claims 48 and 52 under 35 U.S.C. § 103(a) based on KAPUR and KLAVANS be reversed.

9. Claim 49.

Claim 49 depends from claim 47. Therefore, this claim is patentable over KAPUR and KLAVANS, whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 47. Accordingly, Appellant respectfully requests that the rejection of claim 49 under 35 U.S.C. § 103(a) based on KAPUR and KLAVANS be reversed. Moreover, this claim is patentable over KAPUR and KLAVANS for reasons of its own.

For example, claim 49 recites that a search engine searches a structure of a plurality of documents for indications of a presence of a definition. KAPUR and KLAVANS, whether taken alone or in any reasonable combination, do not disclose or suggest this feature.

In rejecting claim 49, the Examiner relied on paragraphs [0031] and [0176] of KAPUR and on Fig. 8 of KAPUR for allegedly disclosing this feature (final Office Action, p. 10). Appellant respectfully disagrees with the Examiner's interpretation of KAPUR.

Paragraph [0031] of KAPUR discloses:

In preferred aspects of the present invention, a query processing engine is provided to process queries and decompose queries into constituent units. The query processing engine of the present invention allows for the system to implement concept discovery and analysis processes as well as context analysis, disambiguation and many other processes that would enhance the quality of results returned to a user in response to a search query. A query processing engine according to the present invention may be implemented in a stand alone device or system connected to a network, e.g., a computer system executing various query processing and analysis algorithms and processes as discussed herein, or it may be included as part of a search server such as server system 160, or other server system.

This section of KAPUR discloses a query processing engine to process and decompose queries into constituent units. A query processing engine of the invention of KAPUR allows the system to implement concept discovery and analysis processes as well as context analysis, disambiguation and other unspecified processed that would enhance the quality of results

returned by a search query. This section of KAPUR does not disclose or suggest anything about definitions. Therefore, this section of KAPUR cannot disclose or suggest that a search engine searches a structure of a plurality of documents for indications of a presence of a definition, as recited in claim 49.

Paragraph [0176] and Fig. 8 of KAPUR do not find support in U.S. Provisional Application No. 60/460,222 (hereinafter "Provisional Application"), to which KAPUR claims priority. Appellant notes that the filing date of KAPUR is April 5, 2004, which is after Appellant's filing date of June 27, 2003. Thus, paragraph [0176] and Fig. 8 of KAPUR are not prior art with respect to the present application and cannot be relied on in a rejection of Appellant's claim 49.

Furthermore, even if it assumed, for the sake of argument, that paragraph [0176] and Fig. 8 of KAPUR can be used in a rejection of Appellant's claim 49, Appellant submits that this section of KAPUR, or any other section of KAPUR, does not disclose or suggest the above feature of claim 49.

Paragraph [0176] of KAPUR, which describes Fig. 8 of KAPUR, was reproduced above. This section of KAPUR discloses that in response to a "define(argument)" query, the system locates a dictionary definition and also performs a search for "argument." This section of KAPUR does not disclose or suggest performing a search using a predetermined term indicative of the presence of definitions. Instead, the system of KAPUR only searches for "argument." Therefore, this section of KAPUR cannot disclose or suggest that a search engine searches a structure of a plurality of documents for indications of a presence of a definition, as recited in claim 49.

For at least these additional reasons, Appellant submits that claim 49 is patentable over KAPUR and KLAVANS, whether taken alone or in any reasonable combination. Accordingly, Appellant respectfully requests that the rejection of claim 49 under 35 U.S.C. § 103(a) based on KAPUR and KLAVANS be reversed.

10. Claims 53, 54, and 58.

Independent claim 53 is directed to a method for determining definitions from distributed information stores. The method includes identifying a plurality of documents based on a search query including terms indicative of a presence of definitions, storing information regarding each identified document, matching a phrase for which a definition is sought against the stored information for each identified document, fetching each identified document from a distributed information store and returning one or more matching definitions, and presenting each matching definition in an order determined based on a ranking of the documents that contain the presented one or more definitions. KAPUR and KLAVANS, whether taken alone or in any reasonable combination, do not disclose or suggest this combination of features.

For example, KAPUR and KLAVANS do not disclose or suggest presenting each matching definition in an order determined based on a ranking of documents that contain the presented one or more definitions, as recited in claim 53. The Examiner did not specifically address claim 53. Instead, the Examiner relied on the rejection of claim 47 (final Office Action, p. 10). In rejecting the feature of claim 47 that recites “a search front end matching a phrase for which a definition is sought against stored information for each identified document, returning one or more matching definitions based on the matching of the phrase, and presenting each matching definition in an order determined based on a ranking of documents that contain the presented one or more definitions”, the Examiner relied on paragraph [0025], as well as

paragraph [0176] and Fig. 8 of KAPUR for allegedly disclosing this feature (final Office Action, p. 9).

Paragraph [0025] of KAPUR was reproduced above. This section of KAPUR discloses a server configured with search algorithms for classifying and ranking web pages. This section of KAPUR does not disclose documents containing definitions. Therefore, this section of KAPUR cannot disclose or suggest presenting each matching definition in an order determined based on a ranking of documents that contain the presented one or more definitions, as recited in claim 53.

Paragraph [0176] and Fig. 8 of KAPUR do not find support in U.S. Provisional Application No. 60/460,222 (hereinafter "Provisional Application"), to which KAPUR claims priority. Appellant notes that the filing date of KAPUR is April 5, 2004, which is after Appellant's filing date of June 27, 2003. Thus, paragraph [0176] and Fig. 8 of KAPUR are not prior art with respect to the present application and cannot be relied on in a rejection of Appellant's claim 53.

Furthermore, none of the documents supplied by KAPUR as part of the Provisional Application disclose or suggest presenting each matching definition in an order determined based on a ranking of documents that contain the presented one or more definitions, as recited in claim 53. In fact, none of the documents of the Provisional Application disclose or suggest definitions of phrases.

In the Advisory Action dated November 16, 2007, the Examiner relies on p. 14, section 41; p. 15, section 42; p. 2, section 17; p. 17, section 46; p. 16, paragraph 6; p. 15, paragraph 6; p. 26, paragraph 4; and p. 19, paragraphs 7-10 of the Provisional Application for allegedly providing support for the subject matter of Fig. 8 and paragraph [0176] of KAPUR. At the

outset, Appellant submits that the subject matter of Fig. 8, and of paragraph [0176] (which describes Fig. 8) of KAPUR is not present in the Provisional Application.

P. 14, section 41 and p. 15, section 42 of the Provisional Application disclose a universal dialog box. P. 15, section 42; p. 2, section 7; p. 17, section 46; p. 15, paragraph 6; and p. 26, paragraph 4 of the Provisional Application disclose examples of using the universal dialog box. None of these sections of the Provisional Application even discloses or suggests definitions.

P. 26, paragraph 4 of the Provisional Application discloses that “postal rates, zip codes, thesaurus, dictionary, encyclopedia, spell-checking, yellow pages, white pages, reverse phone number lookup, tv show schedules, movie schedules, etc. will also be available through the universal dialog box.” This section of the Provisional Application does not disclose or suggest any ranking of documents that contain definitions. Therefore, this section of the Provisional Application cannot disclose or suggest presenting each matching definition in an order determined based on a ranking of documents that contain the presented one or more definitions, as recited in claim 53.

KLAVANS does not overcome the deficiencies of KAPUR with respect to the above feature of claim 53.

For at least the foregoing reasons, Appellant submits that claim 53 is patentable over KAPUR and KLAVANS, whether taken alone or in any reasonable combination.

In addition, neither KAPUR nor KLAVANS disclose or suggest identifying a plurality of documents based on a search query including terms indicative of a presence of definitions, as also recited in claim 53.

The Examiner admits that KAPUR does not disclose or suggest this feature (final Office Action, p. 9). The Examiner relies on KLAVANS (abstract, paragraphs 3-10 and paragraphs 27-

29) for allegedly disclosing this feature (final Office Action, p. 9). Appellant disagrees with the Examiner's interpretation of KLAVANS. KLAVANS does not disclose or suggest identifying a plurality of documents based on a search query including terms indicative of a presence of definitions, as recited in claim 53.

The abstract of KLAVANS was reproduced above. KLAVANS discloses a method of converting a source of full text articles into a dictionary database. KLAVANS does not disclose or suggest how to identify text articles for a particular term. Rather, KLAVANS discloses generating a database of all possible <term, definition> pairs from a source of full text articles. Therefore, KLAVANS does not disclose or suggest identifying a plurality of documents based on a search query including terms indicative of a presence of definitions, as recited in claim 53.

Paragraphs [0003-0010] of KLAVANS form the summary of invention of the method disclosed by KLAVANS, said method being described above with reference to the abstract. This section of KLAVANS does not disclose or suggest a method of identifying documents. Therefore, this section of KLAVANS does not disclose or suggest identifying a plurality of documents based on a search query including terms indicative of a presence of definitions, as recited in claim 53.

Paragraphs [0027-0029] of KLAVANS disclose the first steps of the method of generating the entries for a dictionary from full text articles. KLAVANS discloses that the articles are input into the system. This section of KLAVANS does not disclose or suggest how to identify articles. Therefore, this section of KLAVANS does not disclose or suggest identifying a plurality of documents based on a search query including terms indicative of a presence of definitions, as recited in claim 53.

With regard to motivation, the Examiner alleges (final Office Action, pp. 9-10):

However, Klavans teaches extracting at least one of the definitions from a plurality of documents (i.e., definitions from articles on the Internet, abstract, sections 3-10 on page 1, and sections 27-29 on page 2) in order to provide a more comprehensive and complete on-line dictionary. Therefore, based on Kapur in view of Klavans, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teaching of Klavans to the system of Kapur in order to provide a more comprehensive and complete on-line dictionary.

Appellant submits that the Examiner's allegation is merely a conclusory statement about an alleged benefit of the combination. Such conclusory statements have been repeatedly held to be insufficient for establishing a *prima facie* case of obviousness. In this respect, Appellant relies upon KSR International Co. v. Teleflex Inc., 550 U.S. ____ (April 30, 2007) (citing In re Kahn, 441 F.3d 977, 988 (Fed. Cir. 2006)), where it was held that rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.

KLAVANS does not teach extracting at least one of the definitions from a plurality of documents, as the Examiner alleges. As stated above, KLAVANS teaches generating a dictionary database that has no relation to a particular definition. Furthermore, if the method of KLAVANS alone provides a more comprehensive and complete on-line dictionary, as the Examiner alleges above, it is unclear as to why one of ordinary skill in the art would seek to combine it with the system of KAPUR for that very purpose.

The Examiner alleges in response to Appellant's previously submitted arguments (final Office Action, p. 2):

In response to Applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. If, for the sake of argument, the system of KAPUR was somehow combined with the method of KLAVANS, such a combination would not result in the features of claim 53. Rather, if the search results of a "define(argument)" query based on the system of KAPUR as described in

paragraph [0176] (assuming for the sake of argument that this section of KAPUR is prior art), were provided as the input (the full text articles) to the method of KLAVANS, the method of KLAVANS would seem to generate a dictionary database of <term, definition> entries. The hypothetical combination system of KAPUR and KLAVANS would not identify a plurality of documents, as would be required by claim 53 based on the Examiner's interpretation of KAPUR and KLAVANS.

The Examiner further alleges (final Office Action, p. 2):

Kapur discloses ranking of web pages (documents) that are search results of a query (section 25), wherein the query can be "define(quantity)" meaning that a user is seeking a definition of "quantity" (section 176). As a result, Kapur shows in Fig. 8 a dictionary web page containing a definition and web pages, followed by the dictionary web page, that are search results of the query, "define(quantity)".

Claim 53 recites identifying a plurality of documents based on a search query including terms indicative of a presence of definitions, as recited in claim 53. The Examiner relies above on Fig. 8 of KAPUR for allegedly disclosing this feature (see also final Office Action, p. 4). As set forth above, Fig. 8 of KAPUR is not prior art and cannot be used in a rejection of Appellant's claim 53.

Even if it is assumed, for the sake of argument, that Fig. 8 can be relied upon on a rejection of Appellant's claim 53, in the system of KAPUR, as illustrated in Fig. 8, the dictionary definition will always be ranked first. This is in direct contrast to the above feature of claim 53, which recites presenting each matching definition in an order determined based on a ranking of documents that contain the presented one or more definitions.

Furthermore, the Examiner has not explained how Fig. 8 of KAPUR might be combined with the dictionary database of <term, definition> entries of KLAVANS to allegedly present each matching definition in an order determined based on a ranking of documents that contain

the presented one or more definitions, as recited in claim 53. KLAVANS does not disclose or suggest presenting definitions.

For at least these additional reasons, Appellant submits that claim 53 is patentable over KAPUR and KLAVANS, whether taken alone or in any reasonable combination. Accordingly, Appellant respectfully requests that the rejection of claim 53 under 35 U.S.C. § 103(a) based on KAPUR and KLAVANS be reversed.

Claims 54 and 58 depend from claim 53. Therefore, these claims are patentable over KAPUR and KLAVANS, whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 53. Accordingly, Appellant respectfully requests that the rejection of claims 54 and 58 under 35 U.S.C. § 103(a) based on KAPUR and KLAVANS be reversed.

11. Claim 55.

Claim 55 depends from claim 53. Therefore, this claim is patentable over KAPUR and KLAVANS, whether taken alone or in any reasonable combination, for at least the reasons given above with respect to claim 53. Accordingly, Appellant respectfully requests that the rejection of claim 55 under 35 U.S.C. § 103(a) based on KAPUR and KLAVANS be reversed. Moreover, this claim is patentable over KAPUR and KLAVANS for reasons of its own.

Claim 55 recites that selecting documents each containing at least one definition includes searching a plurality of documents for one or more structures indicative of a presence of definitions. KAPUR and KLAVANS, whether taken alone or in any reasonable combination, do not disclose or suggest this feature.

The Examiner relied on the rejection of claim 49 for the rejection of claim 55 (final Office Action, p. 11). In rejecting claim 49, the Examiner relied on paragraphs [0031] and [0176] of KAPUR and on Fig. 8 of KAPUR (final Office Action, p. 10).

Paragraph [0031] of KAPUR was reproduced above. This section of KAPUR discloses a query processing engine to process and decompose queries into constituent units. A query processing engine of the invention of KAPUR allows the system to implement concept discovery and analysis processes as well as context analysis, disambiguation and other unspecified processes that would enhance the quality of results returned by a search query. This section of KAPUR does not disclose or suggest anything about definitions. Therefore, this section of KAPUR cannot disclose or suggest that selecting documents each containing at least one definition includes searching a plurality of documents for one or more structures indicative of a presence of definitions, as recited in claim 55.

Paragraph [0176] and Fig. 8 of KAPUR do not find support in U.S. Provisional Application No. 60/460,222 (hereinafter "Provisional Application"), to which KAPUR claims priority. Appellant notes that the filing date of KAPUR is April 5, 2004, which is after Appellant's filing date of June 27, 2003. Thus, paragraph [0176] and Fig. 8 of KAPUR are not prior art with respect to the present application and cannot be relied on in a rejection of Appellant's claim 55.

Furthermore, even if it assumed, for the sake of argument, that paragraph [0176] and Fig. 8 of KAPUR can be used in a rejection of Appellant's claim 55, Appellant submits that this section of KAPUR, or any other section of KAPUR, does not disclose or suggest the above feature of claim 55.

Paragraph [0176] of KAPUR, which describes Fig. 8 of KAPUR, was reproduced above.

This section of KAPUR discloses that in response to a “define(argument)” query, the system locates a dictionary definition and also performs a search for “argument.” This section of KAPUR does not disclose or suggest performing a search using a predetermined term indicative of the presence of definitions. Instead, the system of KAPUR only searches for “argument.” Therefore, this section of KAPUR cannot disclose or suggest that selecting documents each containing at least one definition includes searching a plurality of documents for one or more structures indicative of a presence of definitions, as recited in claim 55.

For at least these additional reasons, Appellant submits that claim 55 is patentable over KAPUR and KLAVANS, whether taken alone or in any reasonable combination. Accordingly, Appellant respectfully requests that the rejection of claim 55 under 35 U.S.C. § 103(a) based on KAPUR and KLAVANS be reversed.

12. Claim 60.

Independent claim 60 is directed to an apparatus for determining definitions from distributed information stores. The apparatus includes means for identifying a plurality of documents based on a search query including terms indicative of a presence of definitions, means for storing information regarding each identified document, means for matching a phrase for which a definition is sought against the stored information for each identified document, means for fetching each identified document from the distributed information store and means for returning one or more matching definitions, and means for presenting each matching definition in an order determined based on a ranking of the documents that contain the presented one or more definitions. KAPUR and KLAVANS, whether taken alone or in any reasonable combination, do not disclose or suggest this combination of features.

For example, KAPUR and KLAVANS do not disclose or suggest means for presenting each matching definition in an order determined based on a ranking of documents that contain the presented one or more definitions, as recited in claim 60. The Examiner did not specifically address claim 60. Instead, the Examiner relied on the rejection of claim 47 (final Office Action, p. 10). In rejecting the feature of claim 47 that recites “a search front end matching a phrase for which a definition is sought against stored information for each identified document, returning one or more matching definitions based on the matching of the phrase, and presenting each matching definition in an order determined based on a ranking of documents that contain the presented one or more definitions”, the Examiner relied on paragraph [0025], as well as paragraph [0176] and Fig. 8 of KAPUR for allegedly disclosing this feature (final Office Action, p. 9).

Paragraph [0025] of KAPUR was reproduced above. This section of KAPUR discloses a server configured with search algorithms for classifying and ranking web pages. This section of KAPUR does not disclose documents containing definitions. Therefore, this section of KAPUR cannot disclose or suggest means for presenting each matching definition in an order determined based on a ranking of documents that contain the presented one or more definitions, as recited in claim 60.

Paragraph [0176] and Fig. 8 of KAPUR do not find support in U.S. Provisional Application No. 60/460,222 (hereinafter “Provisional Application”), to which KAPUR claims priority. Appellant notes that the filing date of KAPUR is April 5, 2004, which is after Appellant's filing date of June 27, 2003. Thus, paragraph [0176] and Fig. 8 of KAPUR are not prior art with respect to the present application and cannot be relied on in a rejection of Appellant's claim 60.

Furthermore, none of the documents supplied by KAPUR as part of the Provisional Application disclose or suggest means for presenting each matching definition in an order determined based on a ranking of documents that contain the presented one or more definitions, as recited in claim 60. In fact, none of the documents of the Provisional Application disclose or suggest definitions of phrases.

In the Advisory Action dated November 16, 2007, the Examiner relies on p. 14, section 41; p. 15, section 42; p. 2, section 17; p. 17, section 46; p. 16, paragraph 6; p. 15, paragraph 6; p. 26, paragraph 4; and p. 19, paragraphs 7-10 of the Provisional Application for allegedly providing support for the subject matter of Fig. 8 and paragraph [0176] of KAPUR. At the outset, Appellant submits that the subject matter of Fig. 8, and of paragraph [0176] (which describes Fig. 8) of KAPUR is not present in the Provisional Application.

P. 14, section 41 and p. 15, section 42 of the Provisional Application disclose a universal dialog box. P. 15, section 42; p. 2, section 7; p. 17, section 46; p. 15, paragraph 6; and p. 26, paragraph 4 of the Provisional Application disclose examples of using the universal dialog box. None of these sections of the Provisional Application even discloses or suggests definitions.

P. 26, paragraph 4 of the Provisional Application discloses that “postal rates, zip codes, thesaurus, dictionary, encyclopedia, spell-checking, yellow pages, white pages, reverse phone number lookup, tv show schedules, movie schedules, etc. will also be available through the universal dialog box.” This section of the Provisional Application does not disclose or suggest any ranking of documents that contain definitions. Therefore, this section of the Provisional Application cannot disclose or suggest means for presenting each matching definition in an order determined based on a ranking of documents that contain the presented one or more definitions, as recited in claim 60.

KLAVANS does not overcome the deficiencies of KAPUR with respect to the above feature of claim 60.

For at least the foregoing reasons, Appellant submits that claim 60 is patentable over KAPUR and KLAVANS, whether taken alone or in any reasonable combination.

In addition, neither KAPUR nor KLAVANS disclose or suggest means for identifying a plurality of documents based on a search query including terms indicative of a presence of definitions, as also recited in claim 60.

The Examiner admits that KAPUR does not disclose or suggest this feature (final Office Action, p. 9). The Examiner relies on KLAVANS (abstract, paragraphs 3-10 and paragraphs 27-29) for allegedly disclosing this feature (final Office Action, p. 9). Appellant disagrees with the Examiner's interpretation of KLAVANS. KLAVANS does not disclose or suggest means for identifying a plurality of documents based on a search query including terms indicative of a presence of definitions, as recited in claim 60.

The abstract of KLAVANS was reproduced above. KLAVANS discloses a method of converting a source of full text articles into a dictionary database. KLAVANS does not disclose or suggest how to identify text articles for a particular term. Rather, KLAVANS discloses generating a database of all possible <term, definition> pairs from a source of full text articles. Therefore, KLAVANS does not disclose or suggest means for identifying a plurality of documents based on a search query including terms indicative of a presence of definitions, as recited in claim 60.

Paragraphs [0003-0010] of KLAVANS form the summary of invention of the method disclosed by KLAVANS, said method being described above with reference to the abstract. This section of KLAVANS does not disclose or suggest a method of identifying documents.

Therefore, this section of KLAVANS does not disclose or suggest means for identifying a plurality of documents based on a search query including terms indicative of a presence of definitions, as recited in claim 60.

Paragraphs [0027-0029] of KLAVANS disclose the first steps of the method of generating the entries for a dictionary from full text articles. KLAVANS discloses that the articles are input into the system. This section of KLAVANS does not disclose or suggest how to identify articles. Therefore, this section of KLAVANS does not disclose or suggest means for identifying a plurality of documents based on a search query including terms indicative of a presence of definitions, as recited in claim 60.

Furthermore, the Examiner alleges (final Office Action, pp. 9-10):

However, Klavans teaches extracting at least one of the definitions from a plurality of documents (i.e., definitions from articles on the Internet, abstract, sections 3-10 on page 1, and sections 27-29 on page 2) in order to provide a more comprehensive and complete on-line dictionary. Therefore, based on Kapur in view of Klavans, it would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the teaching of Klavans to the system of Kapur in order to provide a more comprehensive and complete on-line dictionary.

Appellant submits that the Examiner's allegation is merely a conclusory statement about an alleged benefit of the combination. Such conclusory statements have been repeatedly held to be insufficient for establishing a *prima facie* case of obviousness. In this respect, Appellant relies upon KSR International Co. v. Teleflex Inc., 550 U.S. ____ (April 30, 2007) (citing In re Kahn, 441 F.3d 977, 988 (Fed. Cir. 2006)), where it was held that rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.

Furthermore, KLAVANS does not disclose or suggest extracting at least one of the definitions from a plurality of documents, as the Examiner alleges. As stated above, KLAVANS

teaches generating a dictionary database that has no relation to a particular definition.

Furthermore, if the method of KLAVANS alone provides a more comprehensive and complete on-line dictionary, as the Examiner alleges above, it is unclear as to why one of ordinary skill in the art would seek to combine it with the system of KAPUR for that very purpose.

The Examiner alleges in response to Appellant's previously submitted arguments (final Office Action, p. 2):

In response to Applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references.

If, for the sake of argument, the system of KAPUR was somehow combined with the method of KLAVANS, such a combination would not result in the features of claim 60. Rather, if the search results of a "define(argument)" query based on the system of KAPUR as described in paragraph [0176] (assuming for the sake of argument that this section of KAPUR is prior art), were provided as the input (the full text articles) to the method of KLAVANS, the method of KLAVANS would seem to generate a dictionary database of <term, definition> entries. The hypothetical combination system of KAPUR and KLAVANS would not identify a plurality of documents, as would be required by claim 60 based on the Examiner's interpretation of KAPUR and KLAVANS.

The Examiner further alleges (final Office Action, p. 2):

Kapur discloses ranking of web pages (documents) that are search results of a query (section 25), wherein the query can be "define(quantity)" meaning that a user is seeking a definition of "quantity" (section 176). As a result, Kapur shows in Fig. 8 a dictionary web page containing a definition and web pages, followed by the dictionary web page, that are search results of the query, "define(quantity)".

Claim 60 recites means for identifying a plurality of documents based on a search query including terms indicative of a presence of definitions, as recited in claim 60. The Examiner relies above on Fig. 8 of KAPUR for allegedly disclosing this feature (see also final Office

Action, p. 4). As set forth above, Fig. 8 of KAPUR is not prior art and cannot be used in a rejection of Appellant's claim 60.

Even if it is assumed, for the sake of argument, that Fig. 8 can be relied upon on a rejection of Appellant's claim 60, in the system of KAPUR, as illustrated in Fig. 8, the dictionary definition will always be ranked first. This is in direct contrast to the above feature of claim 60, which recites means for presenting each matching definition in an order determined based on a ranking of documents that contain the presented one or more definitions.

Furthermore, the Examiner has not explained how Fig. 8 of KAPUR might be combined with the dictionary database of <term, definition> entries of KLAVANS to allegedly means for presenting each matching definition in an order determined based on a ranking of documents that contain the presented one or more definitions, as recited in claim 60. KLAVANS does not disclose or suggest presenting definitions.

For at least these additional reasons, Appellant submits that claim 60 is patentable over KAPUR and KLAVANS, whether taken alone or in any reasonable combination. Accordingly, Appellant respectfully requests that the rejection of claim 60 under 35 U.S.C. § 103(a) based on KAPUR and KLAVANS be reversed.

- B. The rejection under 35 U.S.C. § 103(a) based on U.S. Patent Application Publication No. 2004/0249801 to Kapur et al. in view of U.S. Patent Application Publication No. 2005/0234709 to Klavans et al. and further in view of “How to get a site listed in Google Glossary?,” by Maurer, internet citation, 1/30/2003, should be reversed.**

1. Claim 7.

Claim 7 depends from claim 1. Without acquiescing in the Examiner's rejection, Appellant submits that MAUER does not remedy the deficiencies of KAPUR and KLAVANS set forth above with respect to claim 1. Therefore, this claim is patentable over KAPUR, KLAVANS, and MAUER, whether taken alone or in any reasonable combination, for at least the reasons set forth above with respect to claim 1.

Accordingly, Appellant respectfully requests that the rejection of claim 7 under 35 U.S.C. § 103(a) based on KAPUR, KLAVANS, and MAUER be reversed.

2. Claim 29.

Claim 29 depends from claim 23. Without acquiescing in the Examiner's rejection, Appellant submits that MAUER does not remedy the deficiencies of KAPUR and KLAVANS set forth above with respect to claim 23. Therefore, this claim is patentable over KAPUR, KLAVANS, and MAUER for at least the reasons set forth above with respect to claim 23.

Accordingly, Appellant respectfully requests that the rejection of claim 29 under 35 U.S.C. § 103(a) based on KAPUR, KLAVANS, and MAUER be reversed.

C. The rejection under 35 U.S.C. § 103(a) based on U.S. Patent Application Publication No. 2004/0249801 to Kapur et al. in view of U.S. Patent Application Publication No. 2005/0234709 to Klavans et al. and further in view of U.S. Patent Application Publication No. 2004/0073541 to Lindblad et al. should be reversed.

1. Claims 10-12.

Claims 10-12 depend from claim 1. Without acquiescing in the Examiner's rejection, Appellant submits that LINDBLAD does not remedy the deficiencies of KAPUR and KLAVANS set forth above with respect to claim 1. Therefore, these claims are patentable over KAPUR, KLAVANS, and LINDBLAD, whether taken alone or in any reasonable combination, for at least the reasons set forth above with respect to claim 1.

Accordingly, Appellant respectfully requests that the rejection of claims 10-12 under 35 U.S.C. § 103(a) based on KAPUR, KLAVANS, and LINDBLAD be reversed.

2. Claims 32-34.

Claims 32-34 depend from claim 23. LINDBLAD does not overcome the deficiencies of KAPUR and KLAVANS set forth above with respect to claim 23. Therefore, these claims are patentable over KAPUR, KLAVANS, and LINDBLAD, whether taken alone or in any reasonable combination, for at least the reasons set forth above with respect to claim 23.

Accordingly, Appellant respectfully requests that the rejection of claims 32-34 under 35 U.S.C. § 103(a) based on KAPUR, KLAVANS, and LINDBLAD be reversed.

3. Claim 50.

Claim 50 depends from claim 47. LINDBLAD does not overcome the deficiencies of KAPUR and KLAVANS set forth above with respect to claim 47. Therefore, this claim is

patentable over KAPUR, KLAVANS, and LINDBLAD, whether taken alone or in any reasonable combination, for at least the reasons set forth above with respect to claim 47.

Accordingly, Appellant respectfully requests that the rejection of claim 50 under 35 U.S.C. § 103(a) based on KAPUR, KLAVANS, and LINDBLAD be reversed. Moreover, claim 50 is patentable over KAPUR, KLAVANS, and LINDBLAD for reasons of its own.

Claim 50 recites a parser parsing identified documents to identify occurrences of a phrase for which a definition is sought. The Examiner admits that KAPUR and KLAVANS do not disclose or suggest this feature (final Office Action, p. 13). The Examiner relies on paragraphs [0042], [0104], [0220], and Fig. 9 of LINDBLAD for allegedly disclosing this feature (final Office Action, p. 13). Appellant respectfully disagrees with the Examiner's interpretation of LINDBLAD.

Paragraph [0042] of LINDBLAD discloses:

FIG. 9 illustrates an XQuery server (XQE) 200 according to one embodiment. XQE 200 includes a document processor 204 and a query processor 218. Document processor 204 generates step queries and step query results from documents 202 and stores the step queries and step query results in a database 212. In one embodiment, documents 202 are parsed documents. For example, parsed documents are created by an XML parsing process. The parsing process accepts XML textual inputs (serialized XML), analyzes the element structure of these documents, and outputs a data structure that represents the input document as a linked collection of element nodes linked to attribute nodes and child element nodes. The parsed XML document also may contain text nodes, processing instruction nodes, and comment nodes.

This section of LINDBLAD discloses a document processor that generates step queries from documents. The documents may be parsed by an XML parsing process, resulting in a data structure that may contain text nodes, processing instruction nodes, and comment nodes. This section of LINDBLAD does not disclose or suggest a parser parsing identified documents to identify occurrences of a phrase for which a definition is sought, as recited in claim 50. Instead, this section of LINDBLAD only discloses a parsing XML documents.

Paragraph [0104] of LINDBLAD discloses:

In one embodiment, a hash key is stored in a memory-map list index file in index 213 whose entries contain (key, offset) pairs, where the offset describes the absolute location within a Listdata file where the list of results for the step query may be found. Thus, the Listdata file includes a reference to the step query results. In one embodiment, the step query results are stored as a compressed list of (subtree-id, frequency-count) pairs. A subtree-id uniquely identifies the XML fragment matching the atomic step query, and the frequency-count describes the approximate number of times that the match occurred within document 202 or the document fragment of document 202.

This section of LINDBLAD discloses a hash key that stores the location of the lists of results for step queries. This section of LINDBLAD does not disclose or suggest a parser parsing identified documents to identify occurrences of a phrase for which a definition is sought, as recited in claim 50.

Paragraph [0220] of LINDBLAD discloses:

In one embodiment, the sequence of nodes returned by the function search may be ordered by a 'relevance' score. The relevance of a node to the specified query is a complex function that depends on the frequency the query terms appear in the text of the query nodes, the frequency the query terms appear across the entire database, and the quality score attached to a given node. The quality score is further described in Linblad IV-A.

This section of LINDBLAD discloses that a sequence of nodes returned by a function search may be ordered by a relevance score, which depends on the frequency of query terms that appear in the text of query nodes. This section of LINDBLAD does not disclose or suggest a parser parsing identified documents to identify occurrences of a phrase for which a definition is sought, as recited in claim 50.

Therefore, even if LINDBLAD were combined with KAPUR and KLAVANS, the combination would not disclose or suggest the features of claim 50. Further, even if for the sake of argument, the combination of LINDBLAD, KAPUR and KLAVANS could fairly be construed to disclose or suggest each of the features of claim 50, Appellant asserts that the reasons given by the Examiner to combine LINDBLAD, KAPUR and KLAVANS do not satisfy the requirements of 35 U.S.C. § 103.

For example, with regard to motivation, the Examiner alleged (final Office Action, p.

13):

Therefore, based on Kapur in view of Klavans, and further in view of Lindblad, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the teaching of Lindblad to the system of Kapur in order to provide statistical information of the phrase.

Appellant submits that the Examiner's allegation is merely a conclusory statement about an alleged benefit of the combination. Such conclusory statements have been repeatedly held to be insufficient for establishing a *prima facie* case of obviousness. In this respect, Appellant relies upon KSR International Co. v. Teleflex Inc., 550 U.S. ____ (April 30, 2007) (citing In re Kahn, 441 F.3d 977, 988 (Fed. Cir. 2006)), where it was held that rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.

For at least these additional reasons, Appellant submits that claim 50 is patentable over KAPUR, KLAVANS, and LINDBLAD, whether taken alone or in any reasonable combination. Accordingly, Appellant respectfully requests that the rejection of claim 50 under 35 U.S.C. § 103(a) based on KAPUR, KLAVANS, and LINDBLAD be reversed.

4. Claim 56.

Claim 56 depends from claim 53. LINDBLAD does not overcome the deficiencies of KAPUR and KLAVANS set forth above with respect to claim 53. Therefore, this claim is patentable over KAPUR, KLAVANS, and LINDBLAD, whether taken alone or in any reasonable combination, for at least the reasons set forth above with respect to claim 53. Accordingly, Appellant respectfully requests that the rejection of claim 56 under 35 U.S.C. §

103(a) based on KAPUR, KLAVANS, and LINDBLAD be reversed. Moreover, claim 56 is patentable over KAPUR, KLAVANS, and LINDBLAD for reasons of its own.

Claim 56 recites a parser parsing identified documents to identify occurrences of a phrase for which a definition is sought. The Examiner admits that KAPUR and KLAVANS do not disclose or suggest this feature (final Office Action, p. 13). The Examiner relies on paragraphs [0042], [0104], [0220], and Fig. 9 of LINDBLAD for allegedly disclosing this feature (final Office Action, p. 13). Appellant respectfully disagrees with the Examiner's interpretation of LINDBLAD.

Paragraph [0042] of LINDBLAD was reproduced above. This section of LINDBLAD discloses a document processor that generates step queries from documents. The documents may be parsed by an XML parsing process, resulting in a data structure that may contain text nodes, processing instruction nodes, and comment nodes. This section of LINDBLAD does not disclose or suggest a parser parsing identified documents to identify occurrences of a phrase for which a definition is sought, as recited in claim 56. Instead, this section of LINDBLAD only discloses a parsing XML documents.

Paragraph [0104] of LINDBLAD was reproduced above. This section of LINDBLAD discloses a hash key that stores the location of the lists of results for step queries. This section of LINDBLAD does not disclose or suggest a parser parsing identified documents to identify occurrences of a phrase for which a definition is sought, as recited in claim 56.

Paragraph [0220] of LINDBLAD was reproduced above. This section of LINDBLAD discloses that a sequence of nodes returned by a function search may be ordered by a relevance score, which depends on the frequency of query terms that appear in the text of query nodes.

This section of LINDBLAD does not disclose or suggest a parser parsing identified documents to identify occurrences of a phrase for which a definition is sought, as recited in claim 56.

Therefore, even if LINDBLAD were combined with KAPUR and KLAVANS, the combination would not disclose or suggest the features of claim 56. Further, even if for the sake of argument, the combination of LINDBLAD, KAPUR and KLAVANS could fairly be construed to disclose or suggest each of the features of claim 56, Appellant asserts that the reasons given by the Examiner to combine LINDBLAD, KAPUR and KLAVANS do not satisfy the requirements of 35 U.S.C. § 103.

For example, the Examiner alleges (final Office Action, p. 13):

Therefore, based on Kapur in view of Klavans, and further in view of Lindblad, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the teaching of Lindblad to the system of Kapur in order to provide statistical information of the phrase.

Appellant submits that the Examiner's allegation is merely a conclusory statement about an alleged benefit of the combination. Such conclusory statements have been repeatedly held to be insufficient for establishing a *prima facie* case of obviousness. In this respect, Appellant relies upon KSR International Co. v. Teleflex Inc., 550 U.S. ____ (April 30, 2007) (citing In re Kahn, 441 F.3d 977, 988 (Fed. Cir. 2006)), where it was held that rejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness.

For at least these additional reasons, Appellant submits that claim 56 is patentable over KAPUR, KLAVANS, and LINDBLAD, whether taken alone or in any reasonable combination. Accordingly, Appellant respectfully requests that the rejection of claim 56 under 35 U.S.C. § 103(a) based on KAPUR, KLAVANS, and LINDBLAD be reversed.

D. The rejection under 35 U.S.C. § 103(a) based on U.S. Patent Application Publication No. 2004/0249801 to Kapur et al. in view of U.S. Patent Application Publication No. 2005/0234709 to Klavans et al. and further in view of U.S. Patent No. 6,922,809 to Coden et al. should be reversed.

1. Claims 18-19.

Claims 18-19 depend from claim 1. Without acquiescing in the Examiner's rejection, Appellant submits that CODEN does not overcome the deficiencies of KAPUR and KLAVANS set forth above with respect to claim 1. Therefore, these claims are patentable over KAPUR, KLAVANS, and CODEN, for at least the reasons set forth above with respect to claim 1.

Accordingly, Appellant respectfully requests that the rejection of claims 18-19 under 35 U.S.C. § 103(a) based on KAPUR, KLAVANS, and CODEN be reversed.

2. Claims 40-41.

Claims 40-41 depend from claim 23. Without acquiescing in the Examiner's rejection, Appellant submits that CODEN does not overcome the deficiencies of KAPUR and KLAVANS set forth above with respect to claim 23. Therefore, these claims are patentable over KAPUR, KLAVANS, and CODEN, for at least the reasons set forth above with respect to claim 23.

Accordingly, Appellant respectfully requests that the rejection of claims 40-41 under 35 U.S.C. § 103(a) based on KAPUR, KLAVANS, and CODEN be reversed.

E. The rejection under 35 U.S.C. § 103(a) based on U.S. Patent Application Publication No. 2004/0249801 to Kapur et al. in view of U.S. Patent Application Publication No. 2005/0234709 to Klavans et al. and further in view of U.S. Patent No. 6,701,309 to Beeferman et al. should be reversed.

1. Claims 20-22.

Claims 20-22 depend from claim 1. Without acquiescing in the Examiner's rejection, Appellant submits that BEEFERMAN does not overcome the deficiencies of KAPUR and KLAVANS set forth above with respect to claim 1. Therefore, these claims are patentable over KAPUR, KLAVANS, and BEEFERMAN, for at least the reasons set forth above with respect to claim 1.

Accordingly, Appellant respectfully requests that the rejection of claims 20-22 under 35 U.S.C. § 103(a) based on KAPUR, KLAVANS, and BEEFERMAN be reversed.

2. Claims 42-44.

Claims 42-44 depend from claim 23. Without acquiescing in the Examiner's rejection, Appellant submits that BEEFERMAN does not overcome the deficiencies of KAPUR and KLAVANS set forth above with respect to claim 23. Therefore, these claims are patentable over KAPUR, KLAVANS, and BEEFERMAN, for at least the reasons set forth above with respect to claim 23.

Accordingly, Appellant respectfully requests that the rejection of claims 42-44 under 35 U.S.C. § 103(a) based on KAPUR, KLAVANS, and BEEFERMAN be reversed.

3. Claim 51.

Claim 51 depends from claim 47. BEEFERMAN does not overcome the deficiencies of KAPUR and KLAVANS set forth above with respect to claim 47. Therefore, this claim is

patentable over KAPUR, KLAVANS, and BEEFERMAN, for at least the reasons set forth above with respect to claim 47.

Accordingly, Appellant respectfully requests that the rejection of claim 51 under 35 U.S.C. § 103(a) based on KAPUR, KLAVANS, and BEEFERMAN be reversed.

4. Claim 57.

Claim 57 depends from claim 53. Without acquiescing in the Examiner's rejection, Appellant submits that BEEFERMAN does not overcome the deficiencies of KAPUR and KLAVANS with respect to claim 53. Therefore, this claim is patentable KAPUR, KLAVANS, and BEEFERMAN, for at least the reasons set forth above with respect to claim 53.

Accordingly, Appellant respectfully requests that the rejection of claim 57 under 35 U.S.C. § 103(a) based on KAPUR, KLAVANS, and BEEFERMAN be reversed.

VIII. CONCLUSION

In view of the foregoing arguments, Appellant respectfully solicits the Honorable Board to reverse the Examiner's rejections of claims 1-4, 6-14, 17-26, 28-36, 39-44, 46-58, and 60.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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IX. CLAIM APPENDIX

1. A system for providing definitions, comprising:
a server configured to receive a phrase to be processed and select a plurality of documents each containing at least one definition for the phrase; and
a user interface configured to present one or more of the definitions for the phrase in an order determined based on a ranking of the documents that contain the presented one or more definitions.
2. The system of claim 1, wherein selecting the plurality of documents each containing at least one definition is performed prior to the receiving of the phrase.
3. The system of claim 1, wherein the documents are Web pages.
4. The system of claim 1, wherein the selecting includes performing a search based on a search query that includes a predetermined term indicative of a presence of definitions.
5. (Cancelled)
6. The system of claim 4, wherein the predetermined term includes one of glossary, definition, or dictionary.

7. The system of claim 4, wherein the selecting includes performing the search on a title field of the plurality of documents.

8. The system of claim 1, wherein the selecting includes determining a presence of the phrase in the plurality of determined documents.

9. The system of claim 8, wherein the selecting includes determining an absence of the phrase in the plurality of determined documents.

10. The system of claim 8, wherein determining the presence of the phrase further includes determining an exact match of the phrase.

11. The system of claim 8, wherein the matching comprises modifying the phrase.

12. The system of claim 11, wherein modifying the phrase comprises determining a canonical form of the phrase.

13. The system of claim 1, wherein the matching further comprises retrieving an associated definition of the phrase.

14. The system of claim 1, wherein the documents are determined substantially in real-time in response to the phrase being received from a user.

15-16. (Cancelled)

17. The system of claim 1, wherein the presenting further includes processing the definitions.

18. The system of claim 1, wherein the presenting one or more definitions for the phrase includes presenting a substantially most common capitalization of the phrase.

19. The system of claim 18, further comprising presenting less common forms of the phrase.

20. The system of claim 1, further comprising determining superstrings of the phrase present in the plurality of documents.

21. The system of claim 20, further comprising presenting at least some of the determined superstrings.

22. The system of claim 21, wherein at least one of the presented superstrings is presented as one of a related phrase or a suggested query.

23. A method for providing definitions, comprising:
- receiving a phrase to be processed;
- selecting a plurality of documents each containing at least one definition for the phrase; and
- presenting one or more of the definitions for the phrase in an order determined based on a ranking of the documents that contain the presented one or more definitions.
24. The method of claim 23, wherein selecting the plurality of documents each containing at least one definition is performed prior to receiving of the phrase.
25. The method of claim 23, wherein the documents are Web pages.
26. The method of claim 23, wherein the selecting includes performing a search based on a search query that includes a predetermined term indicative of a presence of definitions.
27. (Cancelled)
28. The method of claim 23, wherein the predetermined term includes one of glossary, definition, or dictionary.

29. The method of claim 23, wherein the selecting includes performing the search on a title field of the plurality of documents.

30. The method of claim 23, wherein the selecting includes determining a presence of the phrase in the plurality of documents.

31. The method of claim 30, wherein the selecting includes determining an absence of the phrase in the plurality of documents.

32. The method of claim 30, wherein determining the presence of the phrase further includes determining an exact match of the phrase.

33. The method of claim 30, wherein the selecting comprises modifying the phrase.

34. The method of claim 33, wherein modifying the phrase comprises determining a canonical form of the phrase.

35. The method of claim 23, wherein the selecting further comprises retrieving an associated definition of the phrase.

36. The method of claim 23, wherein the documents are determined substantially in real-time in response to the phrase being received from a user.

37-38. (Cancelled)

39. The method of claim 23, wherein the presenting further includes processing the definitions.

40. The method of claim 23, wherein the presenting one or more definitions for the phrase includes presenting a substantially most common capitalization of the phrase.

41. The method of claim 40, further comprising presenting less common forms of the phrase.

42. The method of claim 23, further comprising determining superstrings of the phrase present in the plurality of the documents.

43. The method of claim 42, further comprising presenting at least some of the determined superstrings.

44. The method of claim 43, wherein at least one of the presented superstrings is presented as one of a related phrase or a suggested query.

45. (Cancelled)

46. An apparatus for providing definitions, comprising:
means for receiving a phrase to be processed;
means for determining a plurality of documents each containing at least one definition;
means for matching the phrase to at least one of the definitions; and
means for presenting one or more of the definitions, determined based on a result of the means for matching, for the phrase in an order determined based on a ranking of the documents that contain the presented one or more definitions.

47. A system for determining definitions from distributed information stores, comprising:
a search engine identifying a plurality of documents based on a search query including terms indicative of a presence of definitions, and storing information regarding each identified document; and
a search front end matching a phrase for which a definition is sought against the stored information for each identified document, returning one or more matching definitions based on the matching of the phrase, and presenting each matching definition

in an order determined based on a ranking of the documents that contain the presented one or more definitions.

48. A system according to Claim 47, further comprising:

a repository storing the information for a subset of the identified documents.

49. A system according to Claim 47, wherein the search engine searches a

structure of the plurality of documents for indications of a presence of a definition.

50. A system according to Claim 47, further comprising:

a parser parsing the identified documents to identify occurrences of the phrase for which a definition is sought.

51. A system according to Claim 47, further comprising:

a processor processing the matching definitions, comprising at least one of:

a filter limiting the matching definitions to substantially matching definitions; or

a definitions module providing at least one of a superstring, common variants,

and common forms of the phrase for which a definition is sought.

52. A system according to Claim 47, wherein the matching definitions

comprise at least one of matching terms and phrases, related terms and phrases, or random and eclectic terms and phrases.

53. A method for determining definitions from distributed information stores, comprising:

identifying a plurality of documents based on a search query including terms indicative of a presence of definitions,

storing information regarding each identified document;

matching a phrase for which a definition is sought against the stored information for each identified document;

fetching each identified document from a distributed information store and returning one or more matching definitions; and

presenting each matching definition in an order determined based on a ranking of the documents that contain the presented one or more definitions.

54. A method according to Claim 53, further comprising:

storing the information for a subset of the identified documents.

55. A method according to Claim 53, further comprising:

searching the plurality of documents for one or more structures indicative of a presence of a definition.

56. A method according to Claim 53, further comprising:

parsing the identified documents to identify occurrences of the phrase for which a definition is sought.

57. A method according to Claim 53, further comprising:
processing the matching definitions, comprising:
limiting the matching definitions to substantially matching definitions; or
providing at least one of a superstring, common variants, and common forms of
the phrase for which a definition is sought.

58. A method according to Claim 53, wherein the matching definitions
comprise at least one of matching terms and phrases, related terms and phrases, or
random and eclectic terms and phrases.

59. (Cancelled)

60. An apparatus for determining definitions from distributed information
stores, comprising:
means for identifying a plurality of documents based on a search query including
terms indicative of a presence of definitions;
means for storing information regarding each identified document;
means for matching a phrase for which a definition is sought against the stored
information for each identified document;

means for fetching each identified document from the distributed information store and means for returning one or more matching definitions; and

means for presenting each matching definition in an order determined based on a ranking of the documents that contain the presented one or more definitions.

X. EVIDENCE APPENDIX

None.

XI. RELATED PROCEEDINGS APPENDIX

None.